

TITLE VII: TRAFFIC ORDINANCE

ARTICLE I: WORDS AND PHRASES DEFINED

SECTION 1.1 DEFINITION OF WORDS AND PHRASES. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article.

SECTION 1.2 ALLEY OR ALLEYWAY. A public right of way between abutting properties reserved for public use and access to the property abutting the right of way.

SECTION 1.3 AUTHORIZED EMERGENCY VEHICLE. A vehicle which is within the definition of IC 9-13-2-6.

SECTION 1.33(A) SKATING DEVICE. The term skating device included skateboards, in-line skates, roller skates, and scooters of all types, whether self-propelled or motorized. *Added December 1, 2004.*

SECTION 1.4 BICYCLE. Every device propelled by human power upon which any person may ride having two tandem wheels either of which is more than 10 inches in diameter.

SECTION 1.5 BUSINESS DISTRICT. The territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

SECTION 1.6 CENTRAL BUSINESS (OR TRAFFIC) DISTRICT. All streets and portions of streets within the area described as follows: All that area bounded by the Eel River on the south; from the intersection of Eel River and Front Street extended, thence north on Front Street to the intersection of Front Street and Second Street, thence east on Second Street to the intersection of Second Street and Market Street, thence north on Market Street to the intersection of Market Street and Third Street, thence east on Third Street to the intersection of Third Street and Mill Street, thence south on Mill Street to the intersection of Mill Street and Second Street, thence east on Second Street to the intersection of Second Street and Sycamore Street, thence south on Sycamore Street to the intersection of Sycamore Street and E. South Street, thence west on E. South Street to the intersection of E. South Street with the Eel River.

SECTION 1.7 CITY. The word City in this ordinance shall mean the Town of North Manchester.

SECTION 1.8 COMMERCIAL VEHICLE. Every vehicle designed, maintained, or used primarily for the transportation of property.

SECTION 1.9 CONTROLLED ACCESS HIGHWAY. Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

SECTION 1.10 CROSSWALK

1.10.1 That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

1.10.2 Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

SECTION 1.11 CURB LOADING ZONE. A Space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

SECTION 1.12 DRIVER. Every person who drives or is in actual physical control of a vehicle.

SECTION 1.13 FREIGHT CURB LOADING ZONE. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

SECTION 1.14 HIGHWAY AND/OR STREET. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

SECTION 1.15 INTERSECTION.

1.15.1 The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

1.15.2 Where a highway includes two roadways, thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

SECTION 1.16 LANED ROADWAY. A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

SECTION 1.17 MOTOR VEHICLE. Every vehicle, which is self-propelled, and every vehicle, which is propelled by electric power, obtained from overhead trolley wires, but not operated upon rails.

SECTION 1.18 MOTORCYCLE. Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

SECTION 1.19 OFFICIAL TIME STANDARD. Whenever certain hours are named herein they shall mean standard time or daylight-savings time as may be in current use in this City.

SECTION 1.20 OFFICIAL TRAFFIC CONTROL DEVICES. All signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

SECTION 1.21 PARK OR PARKING. Means the standing of a vehicle, whether occupied or not, otherwise than temporary for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

SECTION 1.22 PASSENGER CURB LOADING ZONE. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

SECTION 1.23 PEDESTRIAN. Any person afoot.

SECTION 1.24 PERSON. Every natural person, firm, co-partnership, association or corporation.

SECTION 1.25 POLICE OFFICER. Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

SECTION 1.26 PRIVATE ROAD OR DRIVEWAY. Every way or place in private ownership and used for vehicular travel by the owner and those having expressed or implied permission from the owner, but not by other persons.

SECTION 1.27 RAILROAD. A carrier of persons or property upon cars operated upon stationary rails.

SECTION 1.28 RAILROAD TRAIN. A steam engine, electric or other motor, with or without cars coupled thereto, and operated upon rails.

SECTION 1.29 RESIDENCE DISTRICT. The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and building in use for business.

SECTION 1.30 RIGHT OF WAY. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

SECTION 1.31 ROADWAY. That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

SECTION 1.32 SAFETY ZONE. The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SECTION 1.33 SIDEWALK. That portion of a street between the curb lines, or the lateral lines of a roadway and the adjacent property lines intended for use of pedestrians.

SECTION 1.33(A) SKATING DEVICE. The term skating device includes skateboards, in-line skates, roller skates, and scooters of all types, whether self-propelled or motorized. *Added December 1, 2004.*

SECTION 1.34 STAND OR STANDING. Means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

SECTION 1.35 STOP. When required means complete cessation from movement.

SECTION 1.36 STOP OR STOPPING. When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

SECTION 1.37 THROUGH HIGHWAY OR STREET. Every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways and streets is required by law to yield right of way to vehicles on such through highway or street in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this ordinance.

SECTION 1.38 TRAFFIC. Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel.

SECTION 1.39 TRAFFIC CONTROL SIGNAL. Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

SECTION 1.40 TRAFFIC DIVISION. The Traffic Division of the Police Department of this City, or in the event a Traffic Division is not established, then said term whenever used therein shall be deemed to refer to the Police Department of this City.

SECTION 1.41 TREELAWN. The portion of a street paralleling the roadway, which lies between property line and the curb or improved gutter.

SECTION 1.42 VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

SECTION 1.43 POLICE, OFFICERS, POLICE DEPARTMENT, TRAFFIC DIVISION. Shall be deemed to mean and refer to the Town Marshal and Deputy Marshals of the Town of North Manchester, Indiana, and the term "Chief of Police" shall be deemed to mean and refer to the Town Marshal.

SECTION 1.44 TRAFFIC ENGINEER OR TRAFFIC COMMISSIONER. Shall be deemed to mean and refer to the Town Manager of the Town of North Manchester, Indiana, who shall, by virtue of appointment *to that office*, be the Traffic Engineer and Traffic Commissioner.

~~SECTION 1.45 The foregoing portions of Article I shall supplement TITLE VII, TRAFFIC ORDINANCE.~~

ARTICLE II: TRAFFIC ADMINISTRATION

SECTION 2.1 POLICE ADMINISTRATION. There is hereby established in the Police Department of this City a Traffic Division to be under the control of the Town Marshal.

SECTION 2.2 DUTY OF TRAFFIC DIVISION. It shall be the duty of all members of the Police Department to enforce the street traffic regulations of this City and all of the State vehicle laws applicable to street traffic in this City, to make arrests for traffic violations, to investigate accidents and to cooperate with the City Traffic Commission and other officers of the City in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said Division by this ordinance and the traffic ordinances of this City.

SECTION 2.3 RECORDS OF TRAFFIC VIOLATIONS.

2.3.1 The Police Department or the Traffic Division thereof shall keep a record of all violations of the traffic ordinances of this City or of the State vehicle laws of which any person has been charged together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types

of violations and the total of each. Said record shall accumulate during at least a 5-year period and from that time on the record shall be maintained complete for at least the most recent 5-year period.

2.3.2 All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

2.3.3 All such records and reports shall be public records.

SECTION 2.4 TRAFFIC DIVISION TO INVESTIGATE ACCIDENTS. It shall be the duty of the Traffic Division, assisted by other police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

SECTION 2.5 TRAFFIC ACCIDENT STUDIES. Whenever the accidents at any particular location become numerous, the Traffic Division shall cooperate with the City Traffic Commission in conducting studies of such accidents and determining remedial measures.

SECTION 2.6 TRAFFIC ACCIDENT REPORTS. The Traffic Division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the City Traffic Commission.

2.6.1 The fee to be charged for copying and providing a copy of a police generated accident or "crash" report or of any filed motor vehicle accident report shall be the maximum amount permitted by state law.
Added December 1, 2004.

SECTION 2.7 DRIVERS FILES TO BE MAINTAINED.

2.7.1 The Police Department or the Traffic Division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

2.7.2 Said division shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of such persons suspended or revoked.

2.7.3 Such records shall accumulate during at least a 5-year period and from that time on such records shall be maintained complete for at least the most recent 5-year period.

SECTION 2.8 TRAFFIC DIVISION TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT. The Traffic Division shall annually prepare a traffic report, which shall be filed with the Town Council. Such report shall contain information on traffic matters in this City.

SECTION 2.9 TRAFFIC DIVISION TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS. The Traffic Division shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify the vehicles in funeral processions.

SECTION 2.10 TRAFFIC ENGINEER.

2.10.1 The office of Traffic Engineer is hereby established. The Town Manager shall serve as Traffic Engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.

2.10.2 It shall be the general duty of the Traffic Engineer to determine the installation and proper timing and maintenance of traffic control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions, to plan the operation of traffic on the streets and highways of this City, and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this City.

SECTION 2.11 EMERGENCY AND EXPERIMENTAL REGULATIONS.

2.11.1 Traffic Engineer is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this City and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.

2.11.2 The Traffic Engineer may test traffic control devices under actual conditions of traffic.

SECTION 2.12 TRAFFIC COMMISSION. There is hereby created and established a commission to be known and designated as the North Manchester Traffic Commission.

SECTION 2.13 DUTIES AND RESPONSIBILITIES OF THE COMMISSION. The commission shall be responsible for developing and implementing coordinated traffic safety programs which meet local needs; acting in an advisory capacity to the Town Council in the coordination of traffic safety activities, including the initiation and formulation of recommendations to the Town Council regarding new traffic safety ordinances and amendment of existing traffic ordinances; establishing traffic safety priorities for the Town; reviewing and approving project applications for funding; serving in a liaison capacity between the Town of North Manchester and the Indiana Department of Traffic Safety in developing the State Highway Safety Program and in meeting the National Highway Safety Program standards; promoting public acceptance of official programs proposed or instigated by the Town; fostering public knowledge and support of traffic law enforcement and traffic engineering problems; cooperating with schools in promoting educational traffic safety aids; educating the public in traffic safety; and generally aiding the overall reduction of traffic accidents, injuries and deaths on Town streets.

SECTION 2.14 ORGANIZATION OF THE COMMISSION.

2.14.1 Membership – The commission shall consist of nine (9) official members as follows: Town Marshal and Town Manager, ex-officio, a member of the Town Council and a student representative of Manchester Community Schools and Manchester College, each of whom shall be appointed by the Town Council, to serve for a term of one calendar year or until his successor is appointed; and four (4) other members who are determined to be representative of the North Manchester community, each of whom shall be appointed by the Town Council, for a term of two (2) years and until their respective successors are appointed; provide, that two of the initial four appointees shall be for a term of one calendar year. All appointive terms shall expire December 31.

- 2.14.2 Unofficial Members – The Commission is hereby authorized to appoint as unofficial members of said commission any additional persons by majority vote of the commission at any meeting where a quorum is present. Unofficial members shall not have voting privileges.
- 2.14.3 Chairman – The Chairman of the commission shall be selected annually, in the January meeting, upon nomination by a member of the commission, and election by majority vote.
- 2.14.4 Secretary – The Chairman of the commission shall appoint the Secretary of the commission, whose duty it shall be to send all notices for special meetings of the commission; keep and preserve the minutes; place all documents and papers of the commission for safekeeping with the Clerk-Treasurer of the Town of North Manchester; advise and consult with the Town Council as to the work and recommendations of said commission; work with said commission and its sub-committees, if any; work with organized community groups and others to carry forward all plans and policies of the commission as to accident prevention which may be approved by the commission; and to perform such other duties as may be prescribed by said commission.
- 2.14.5 Meetings – The commission shall meet once each month at a predetermined time and shall meet on the call of the Chairman or on call by the majority of its members.
- 2.14.6 Quorum – Five (5) official members shall constitute a quorum for the transaction of any business or the making of any recommendation.

SECTION 2.15 Section 2.12 of Article II of TITLE VII TRAFFIC ORDINANCE, is hereby repealed, and the preceding sections and sub-sections shall form a new part of Article II of TITLE VII, TRAFFIC ORDINANCE.

ARTICLE III: ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

SECTION 3.1 AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS.

- 3.1.1 It shall be the duty of the officers of the Police Department or such officers as are assigned by the Town Marshal to enforce all street traffic laws of this City and all of the State vehicle laws applicable to street traffic in this City.
- 3.1.2 Officers of the Police Department or such officers as are assigned by the Town Marshal are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- 3.1.3 Officers of the Fire Department, when at the scene of a fire, may direct or assist the Police in directing traffic thereat or in the immediate vicinity.

SECTION 3.2 REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE. It is a civil violation for any person to do any act forbidden or fail to perform any act required in this ordinance.

SECTION 3.3 OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or Fire Department official.

SECTION 3.4 PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS. Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

~~SECTION 3.5 USE OF COASTERS, ROLLER SKATES, AND SIMILAR DEVICES RESTRICTED. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a cross walk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of the City. Repealed 12/14/05. See Section 12, Title III, Chapter I, Article VI.~~

SECTION 3.6 PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS. The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, County, or City, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by State statute.

SECTION 3.7 AUTHORIZED EMERGENCY VEHICLES.

3.7.1 Park or stand, irrespective of the provisions of this ordinance:

3.7.2 The driver of an authorized emergency vehicle may:

3.7.2.1 Park or stand, irrespective of the provisions of this ordinance;

3.7.2.2 Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

3.7.2.3 Exceed the maximum speed limits so long as he does not endanger life or property;

3.7.2.4 Disregard regulations governing direction of movement or turning in specified directions.

3.7.3 The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle, or electronic device as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

3.7.4 The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

SECTION 3.8 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the laws of the State, or of a police vehicle properly and lawfully making use of an audible signal only:

- 3.8.1 The driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- 3.8.2 This section shall not operate to relieve the driver of any authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

SECTION 3.9 IMMEDIATE NOTICE OF ACCIDENT. The driver of a vehicle involved in an accident resulting in injury to or death of any person or total damage to all property to an apparent extent of twenty-five dollars (\$25) or more shall immediately by the quickest means of communication give notice of such accident to the Police Department if such accident occurs within this City.

SECTION 3.10 WRITTEN REPORT OF ACCIDENT. The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total damage to all property to an apparent extent of Seven Hundred Fifty Dollars (\$750.00) or more shall within five (5) days after such accident, forward a written report of such accident to the Police Department. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a police officer while such driver was present thereat.

SECTION 3.11 WHEN DRIVER UNABLE TO REPORT

- 3.11.1 Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 3.9 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.
- 3.11.2 Whenever the driver is physically incapable of making a written report of an accident as required in Section 3.10 and such driver is not the owner of the vehicle involved in such accident, the owner of such vehicle shall within five (5) days after the accident make such report not made by the driver.

SECTION 3.12 PUBLIC INSPECTION OF REPORTS RELATING TO ACCIDENTS.

- 3.12.1 A written reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department or other governmental agencies having use for the records for accident prevention purposed, except that the Police Department or other governmental agency may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident.
- 3.12.2 No written reports forwarded under the provisions of the section shall be used as evidence in any trial, civil or criminal, arising out of an accident except that the Police Department shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with law, and, if such report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, and the investigating officers.

ARTICLE IV: TRAFFIC CONTROL DEVICES

SECTION 4.1 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES. The City Traffic Commission shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of the City to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as it may deem necessary to regulate traffic under the traffic ordinances of the City or under State law or to guide or warn traffic.

SECTION 4.2 MANUAL AND SPECIFICATIONS FOR TRAFFIC-CONTROL DEVICES. All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the State Highway Commission or resolution adopted by the legislative body of the City. All signs and signals required hereunder for a particular purpose shall so far as practical be uniform as to type and location throughout the City. All traffic-control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

SECTION 4.3 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES. The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of the ordinance, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in the ordinance.

SECTION 4.4 WHEN OFFICIAL TRAFFIC-CONTROL DEVICES REQUIRED FOR ENFORCEMENT PURPOSES. No provision of the ordinance for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

4.4.1 OFFICIAL TRAFFIC-CONTROL DEVICES—PRESUMPTION OF LEGALITY.

4.4.1.1 Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

4.4.1.2 Any official traffic-control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence.

SECTION 4.5 TRAFFIC-CONTROL SIGNAL LEGEND. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

4.5.1 Green indication.

4.5.1.1 Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of

way to other vehicles and to pedestrians lawfully within the intersection or an adjacent cross walk at the time such signal is exhibited.

4.5.1.2 Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movements as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent cross walk and to other traffic lawfully using the intersection.

4.5.1.3 Unless otherwise directed by a pedestrian-control signal as provided in Section 4.6, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked cross walk.

4.5.2. Steady yellow indication.

4.5.2.1 Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

4.5.2.2 Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 4.6, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

4.5.3 Steady red indication.

4.5.3.1 Vehicular traffic facing a steady red signal alone shall stop before entering the cross walk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown.

4.5.3.2 Unless otherwise directed by a pedestrian-control signal as provided in Section 4.6, pedestrians facing a steady red signal alone shall not enter the roadway.

4.5.4 In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions of this section which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

SECTION 4.6 PEDESTRIAN-CONTROL SIGNALS. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

4.6.1 Walk – Pedestrians facing such signals may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

4.6.2 Don't Walk – No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the

signal shall proceed to a sidewalk or safety island while the "Don't Walk" signal is showing.

SECTION 4.7 FLASHING SIGNALS

4.7.1 Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

4.7.1.1 Flashing red (stop signal) – When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest cross walk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

4.7.1.2 Flashing yellow (caution signal) – When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

4.7.2 This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in Section 8.9 of this ordinance.

SECTION 4.8 LANE DIRECTION-CONTROL SIGNALS. When lane direction-control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

SECTION 4.9 DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS

4.9.1 No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

4.9.2 No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

4.9.3 This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

4.9.4 Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

SECTION 4.10 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

SECTION 4.11 AUTHORITY TO ESTABLISH PLAY STREETS. The City Traffic Commission shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

SECTION 4.12 PLAY STREET. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

SECTION 4.13 CITY TRAFFIC COMMISSION TO DESIGNATE CROSS WALKS AND ESTABLISH SAFETY ZONES. The City Traffic Commission is hereby authorized.

- 4.13.1 To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, cross walks at intersections where in its opinion there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary.
- 4.13.2 To establish safety zones of such kind and character and at such places as it may deem necessary for the protection of pedestrians.

SECTION 4.14 TRAFFIC LANES

- 4.14.1 The City Traffic Commission is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.
- 4.14.2 Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

ARTICLE V: SPEED REGULATIONS

SECTION 5.1 STATE SPEED LAWS APPLICABLE

- 5.1.1 The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this City, except as this ordinance, as authorized by State law, hereby declares and determines upon the basis of engineer and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this ordinance when signs are in place giving notice thereof.
- 5.1.2 No person shall drive a vehicle on the following described portions of public streets at a speed in excess of twenty (20) miles per hour, when children are present to-wit:

Ninth Street, between Market and Beckley Streets,
River Road, between State Road 114 (Main Street) and Singer Road,
Shock Road, between River Road and a point five hundred (500) feet east thereof.

- 5.1.3 No person shall drive a vehicle on the following described portions of public streets at a speed in excess of twenty (20) miles per hour, to wit:

Ninth Street, between Market and Beckley Streets,
River Road, between State Road 114 (Main Street) and Singer Road,
Shock Road, between River Road and a Point 500 feet east thereof,

College Avenue, from Wayne Street to East Street,
East Street, from College Avenue to Indiana Highway 13.

- 5.1.4 No person shall operate a vehicle at a speed in excess of fifteen (15) miles per hour on the covered bridge or on Singer Road between its intersections with Sycamore Street and River Road Extended (formerly SR 113).

SECTION 5.2 DECREASE OF STATE SPEED LIMITS AT CERTAIN INTERSECTIONS. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law at the following street intersections is greater than is reasonable or safe under the conditions found to exist at such intersections and it is hereby declared that the maximum speed limit within 100 feet upon every approach to every such intersection giving notice of the maximum speed limit so declared thereat.

SECTION 5.3 INCREASING STATE SPEED LIMITS IN CERTAIN ZONES. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and sign posting of said streets as through highways and (or) by reason of widely spaced intersections and it is hereby declared that the maximum speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated at the times specified when signs are erected giving notice thereof.

SECTION 5.4 DECREASE OF STATE LAW MAXIMUM SPEED. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by Indiana law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the maximum speed limit shall be the miles per hour as hereinafter set forth on Schedule at Section 21.10 attached hereto and made a part hereof, on those streets or parts of streets thereon described, from and after the date signs are posted showing the maximum speed determined to be reasonable and safe.

SECTION 5.5 REGULATION OF SPEED BY TRAFFIC SIGNALS. The City Traffic Commission is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

ARTICLE VI: TURNING MOVEMENTS

SECTION 6.1 REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS. A driver of a vehicle intending to turn at an intersection shall do so as follows:

- 6.1.1 Right turns – Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
- 6.1.2 Left turns on two-way roadways – At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practical the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

- 6.1.3 Left turns on other than two-way roadways – At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practical in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

SECTION 6.2 AUTHORITY TO PLACE AND OBEDIENCE TO TURNING MARKERS.

- 6.2.1 The City Traffic Commission is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.
- 6.2.2 When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning therat, no driver of a vehicle shall disobey the directions of such indications.

SECTION 6.3 AUTHORITY TO PLACE RESTRICTED TURN SIGNS. The City Traffic Commission is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

SECTION 6.4 OBEDIENCE TO NO-TURN SIGNS. Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

SECTION 6.5 LIMITATIONS ON TURNING AROUND. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without other traffic.

ARTICLE VII: ONE-WAY STREETS AND ALLEYS

SECTION 7.1 AUTHORITY TO SIGN ONE-WAY STREETS AND ALLEYS. Whenever any ordinance of this City designates any one-way street or alley the City Traffic Commission shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 7.2 ONE-WAY STREETS AND ALLEYS. Upon those streets and parts of streets and in those alleys described in ~~Schedule 4~~ Article XXI, Section 21.1 attached hereto and made a part hereof, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. *Amended 12/7/05.*

- 7.2.2 No left turn is permitted from West Street onto State Highway 114, effective when a sign is posted. *Adopted 12/7/05.*

SECTION 7.3 AUTHORITY TO RESTRICT DIRECTION OF MOVEMENT ON STREETS DURING CERTAIN PERIODS.

- 7.3.1 The City Traffic Commission is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The City Traffic Commission may erect signs temporarily designation lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.
- 7.3.2 It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

ARTICLE VIII: STOP AND YIELD INTERSECTIONS

SECTION 8.1 THROUGH STREETS DESIGNATED: Those streets and parts of streets described in Schedule at Section 21.2 attached hereto and made a part hereof declared to be "through streets" for the purposes of this ordinance.

SECTION 8.2 SIGNS REQUIRED AT THROUGH STREETS. Whenever any ordinance of this City designates and describes a through street it shall be the duty of the City Traffic Commission to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-control signals, provided, however, that at the intersection of two such through street or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches on either of said streets as may be determined by the Traffic Engineer upon the basis of an engineering and traffic study.

SECTION 8.3 OTHER INTERSECTIONS WHERE STOP OR YIELD REQUIRED. The City Traffic Commission is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine –

- 8.3.1 whether vehicles shall stop at one or more entrances to any such intersection, in which event it shall cause to be erected a stop sign at every such place where a stop is required, or
- 8.3.2 Whether vehicles shall yield the right of way to vehicles on a different street at such intersection as prescribed in paragraph (a) of Section 8.6, in which event it shall cause to be erected a yield sign at every place where obedience thereto is required.

SECTION 8.4 STOP SIGNS AND YIELD SIGNS

- 8.4.1 The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersection roadway where the driver has a view of approaching traffic on the intersecting roadway.
- 8.4.2 Except when directed to proceed by a Police Officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign

shall stop before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

SECTION 8.5 VEHICLE ENTERING STOP INTERSECTION.

- 8.5.1 Except when directed to proceed by a Police Officer or traffic-control signal, every driver of vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Section 8.4.
- 8.5.2 And after having stopped shall yield the right of way to any vehicle, which has entered the intersection from another, highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

SECTION 8.6 VEHICLE ENTERING YIELD INTERSECTION. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.

SECTION 8.7 EMERGING FROM ALLEY, DRIVEWAY OR BUILDING. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk, or onto the sidewalk area extending across any alleyway or driveway and shall yield the right of way to any pedestrian as may be necessary to avoid collision and upon entering the roadway shall yield the right to all vehicles approaching on said roadway.

SECTION 8.8 STOP WHEN TRAFFIC OBSTRUCTED. No driver shall enter an intersection or a marked cross walk unless there is sufficient space on the other side of the intersection or cross walk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

SECTION 8.9 OBEDIENCE TO SIGNAL INDICATING APPROACH OF TRAIN.

- 8.9.1 Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:
 - 8.9.1.1 A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
 - 8.9.1.2 A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
 - 8.9.1.3 A railroad train approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;

- 8.9.1.4 An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.
- 8.9.2 No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

ARTICLE IX: MISCELLANEOUS DRIVING RULES

SECTION 9.1 FOLLOWING FIRE APPARATUS PROHIBITED. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such a vehicle within the block where fire apparatus has stopped in answer to a fire alarm

SECTION 9.2 CROSSING FIRE HOSE. No vehicle shall be driven over any unprotected hose of a Fire Department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

SECTION 9.3 DRIVING THROUGH FUNERAL OR OTHER PROCESSION. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

SECTION 9.4 DRIVERS IN A PROCESSION. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

SECTION 9.5 FUNERAL PROCESSIONS TO BE IDENTIFIED. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Traffic Division.

SECTION 9.6 PERMISSION REQUIRED TO CLOSE OR OBSTRUCT STREETS AND PUBLIC WAYS. A request to temporarily obstruct or close a street or other public way for an activity or event shall be submitted in writing to the Traffic Commission. After reviewing the request the Traffic Commission shall make a recommendation to the Town Council to approve or disapprove the request and, if the recommendation is to approve, the Traffic Commission shall recommend the time and any conditions imposed by it concerning the request. Upon receipt of the Traffic Commission recommendation, the Town Council may approve or reject the request, and if the Council approves the request, it may also modify the terms and conditions that apply to its approval.

SECTION 9.7 VEHICLE SHALL NOT BE DRIVEN ON A SIDEWALK. The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

SECTION 9.8 LIMITATIONS ON BACKING. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

SECTION 9.9 OPENING AND CLOSING VEHICLE DOORS. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

SECTION 9.10 RIDING ON MOTORCYCLES. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.

SECTION 9.11 CLINGING TO VEHICLES. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

SECTION 9.12 CONTROLLED ACCESS. No person shall drive a vehicle onto or from any controlled-access roadway except at such entrances and exits as are established by public authority.

ARTICLE X: SAFETY ZONES

SECTION 10.1 BOARDING OR ALIGHTING FROM VEHICLES. No person shall board or alight from any vehicle while such vehicle is in motion.

SECTION 10.2 UNLAWFUL RIDING. No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

SECTION 10.3 RAILROAD TRAINS ARE NOT TO BLOCK STREETS.

10.3.1 It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

SECTION 10.4 DRIVING THROUGH SAFETY ZONE PROHIBITED. No vehicle shall at any time be driven through or within a safety zone.

ARTICLE XI: PEDESTRIANS' RIGHTS AND DUTIES

SECTION 11.1 PEDESTRIANS SUBJECT TO TRAFFIC-CONTROL SIGNALS. Pedestrians shall be subject to traffic-control signals as heretofore declared in Section 4.5 and 4.6 of this ordinance, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this Article.

SECTION 11.2 PEDESTRIANS' RIGHT OF WAY IN CROSS WALKS.

11.2.1 When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a cross walk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

- 11.2.2 No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for a driver to yield.
- 11.2.3 Paragraph (1) shall not apply under the conditions stated in paragraph (2) of Section 11.5.
- 11.2.4 Whenever any vehicle is stopped at a marked cross walk or at any unmarked cross walk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SECTION 11.3 PEDESTRIANS TO USE RIGHT HALF OF CROSS WALK.

Pedestrians shall move, whenever practical, upon the right half of crosswalks.

SECTION 11.4 CROSSING AT RIGHT ANGLES. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a cross walk.

SECTION 11.5 WHEN PEDESTRIAN SHALL YIELD.

- 11.5.1 Every pedestrian crossing a roadway at any point other than within a marked cross walk or within an unmarked cross walk at an intersection shall yield the right of way to all vehicles upon the roadway.
- 11.5.2 Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.
- 11.5.3 The foregoing rules in this section have no application under the conditions stated in Section 11.6 when pedestrians are prohibited from crossing at certain designated places.

SECTION 11.6 PROHIBITED CROSSING.

- 11.6.1 Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a cross walk.
- 11.6.2 No pedestrian shall cross a roadway other than in a crosswalk in the business district.
- 11.6.3 No pedestrian shall cross a roadway other than in a crosswalk upon any of the following named (through streets) or (parkways).
- 11.6.4 No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

SECTION 11.7 OBEDIENCE OF PEDESTRIANS TO BRIDGE AND RAILROAD SIGNALS.

- 11.7.1 No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

11.7.2 No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

SECTION 11.8 PEDESTRIANS WALKING ALONG ROADWAYS.

11.8.1 Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

11.8.2 Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practical walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

SECTION 11.9 PEDESTRIANS SOLICITING RIDES OR BUSINESS.

11.9.1 No person shall stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

11.9.2 No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

SECTION 11.10 DRIVERS TO EXERCISE DUE CARE. Notwithstanding the foregoing provisions of this article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

ARTICLE XII: METHOD OF PARKING

SECTION 12.1 STANDING OR PARKING CLOSE TO CURB. Except as otherwise provided in this article every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within 12 inches of the right-hand curb.

SECTION 12.2 SIGNS OR MARKINGS INDICATING ANGLE PARKING.

12.2.1 The City Traffic Commission shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any Federal-aid or State highway within this City unless the State Highway Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

12.2.2 Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street.

SECTION 12.3 OBEDIENCE TO ANGLE-PARKING SIGNS OR MARKINGS. On those streets which have been signed or marked by the Traffic Engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

SECTION 12.4 PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO CURB.

- 12.4.1 The City Traffic Commission is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- 12.4.2 It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

SECTION 12.5 LAMPS ON PARKED VEHICLES.

- 12.5.1 Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of 500 feet upon such street or highway no lights need be displayed upon such parked vehicle.
- 12.5.2 Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of 500 feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of 500 feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practical to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor driven cycle.
- 12.5.3 Any Lighted headlamps upon a parked vehicle shall be depressed or dimmed.

ARTICLE XIII: STOPPING, STANDING OR PARKING PROHIBITED.

- 13.1.1 Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:
- 13.1.1.1 Stop, stand or park a vehicle:
- A. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - B. On a sidewalk;
 - C. Within an intersection:
 - D. On a crosswalk;
 - E. Between a safety zone, and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicated a different length by signs or markings;
 - F. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - G. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - H. On any railroad tracks;

- I. At any place where official signs prohibit stopping;
 - J. Parking with vehicle facing oncoming flow of traffic on wrong side of street;
 - K. Parking in area reserved for parking with vehicle facing wrong direction;
 - L. At a time prohibited or for a continuous period longer than the time permitted, when signs are erected giving notice of the parking prohibition or the maximum length of time that parking is permitted.
 - M. No parking on the north side of Third Street, between Bond and Wayne Streets;
 - N. No parking on either side of Market Street, between S.R. 13 and the first alley north of Ninth Street;
 - O. No parking on the east side of Wayne Street, for distance of one hundred ten (110) feet, from the south curb line of Wayne and Ninth Streets and from the south curb line of Wayne Street and College Avenue.
- 13.1.1.2 Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- A. In front of a public or private driveway;
 - B. Within 15 feet of a fire hydrant;
 - C. Within 20 feet of a crosswalk at an intersection;
 - D. Within 30 feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway;
 - E. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance (when properly sign posted);
 - F. At any place where official signs prohibit standing.
- 13.1.1.3 Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
- A. Within 50 feet of the nearest railroad crossing;
 - B. At any place where official signs prohibit parking.
- 13.1.1.4 Park a vehicle, whether occupied or unoccupied, in a parking space, parking lot or designated area within a parking lot which has been ordered closed by the Town Council for a specified time and purpose; provided, the Town Marshal shall post the parking area with a sign warning that the parking area is closed, designating the dates and times the prohibition remains in effect.
- 13.1.1.5 No person shall park a vehicle for a continuous period of time exceeding two hours at the following locations:
- A. On the north side of Second Street, from Walnut Street to the first driveway west of Walnut Street;
 - B. On the west side of Walnut Street, from Second Street to a point on the west curb line of Second Street 130 feet north of Second Street;
 - C. In any of the six (6) parking spaces on the west side of Market Street, north of Ninth Street, in front of the Community Pool. *Approved 9/1/04.*
- 13.1.2 No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as unlawful.

SECTION 13.2 PARKING NOT TO OBSTRUCT TRAFFIC. No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

SECTION 13.3 PARKING IN ALLEYS. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

SECTION 13.4 ALL-NIGHT PARKING. No person shall park a vehicle on any street for a period of time longer than 30 minutes between the hours of three thirty (3:30) a.m. and five (5:00) a.m. of any day where posted, except physicians of emergency calls.

SECTION 13.5 PARKING FOR CERTAIN PURPOSES PROHIBITED.

13.5.1 No person shall park a vehicle upon any roadway for the principal purpose of:

1. Displaying such vehicle for sale;
2. Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

13.5.2 Except for official police vehicles and parking for less than 15 minutes while conducting business at North Manchester Town Hall, no person shall park a vehicle in the first three parking spaces on the south side of Main Street, immediately west of Market Street.

13.5.3 When signs are posted no person shall park a vehicle for longer than ten (10) minutes in the parking spaces on Second and Walnut Streets, abutting the United States Post Office property.

SECTION 13.6 PARKING ADJACENT TO SCHOOLS.

13.6.1 The City Traffic Commission is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in its opinion, interfere with traffic or create a hazardous situation.

13.6.2 When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

SECTION 13.7 PARKING PROHIBITED ON NARROW STREETS.

13.7.1 The City Traffic Commission is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.

13.7.2 When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

SECTION 13.8 STANDING OR PARKING ON ONE-WAY STREETS. The City Traffic Commission is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

SECTION 13.9 STANDING OR PARKING ON ONE-WAY ROADWAYS. In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The City Traffic Commission is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

SECTION 13.10 NO STOPPING, STANDING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES.

13.10.1 The City Traffic Commission is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

13.10.2 When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand, or park a vehicle in any such designated place.

SECTION 13.11

No truck or trailer as defined by the Motor Vehicle Code of the State of Indiana, having a manufacturer's rated load capacity of more than one ton, and no ~~truck or trailer~~ motor vehicle having more than four wheels and other contact points on the highway, shall be parked on any public street of the Town of North Manchester, Indiana, except while being loaded or unloaded; *provided, however, this prohibition shall not include pick-up trucks with more than four wheels. Amended October 1, 2003.*

SECTION 13.12 PARKING FACILITIES FOR PERSONS WITH PHYSICAL DISABILITIES. The definition of terms and standards for users and for an "accessible parking space" as used in this ordinance shall be the same as those contained in IC 5-16-9 *et seq.*, and this ordinance, and its enforcement shall apply to both public and private parking facilities for persons with physical disabilities; provided, however, enforcement on private property and public property which is not under the control of the civil town of North Manchester shall not commence until the owner of the private or public property with one or more accessible parking spaces executes and files with the Town Marshal a written request for ongoing enforcement of the provisions of IC 5-16-0 *et seq.*

13.12.1 Designation of Accessible Parking Spaces and the Number of Spaces. The Traffic Engineer shall select and designate by erecting the standard signage accessible parking spaces at the locations and in quantities, as follows:

Two (2) in the municipal lot located at the southwest corner of the intersection of Main and Market Streets;

One (1) on the west side of Walnut Street, between Main and Second Streets;

One (1) at the westerly most parking space on the south side of Main Street, in the 100 block thereof;

Two on the south side of Main Street, in the 200 block thereof;

Two (2) on the west side of Market Street, north of Ninth Street, at the Community Pool;

Five (5) in the parking lot of Glen W. Ruppel Park;

The first parking space west of Walnut Street on the north side of Main Street. Adopted 6/6/2001.

One (1) abutting the east side of 109 N. Market Street in the MEDCOR parking lot. *Added 9/1/04.*

Two (2) on the west side of the east parking lot at the Public Safety Complex. *Added 9/1/04.*

13.12.2 Violation of these parking restrictions shall be as defined by IC 5-16-9-5 and IC 5-16-9-8 and subject to penalty as stated in this code.

ARTICLE XIV: STOPPING FOR LOADING OR UNLOADING ONLY

SECTION 14.1 CITY TRAFFIC COMMISSION TO DESIGNATE CURB LOADING ZONES. The City Traffic Commission is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicated the same and stating the hours during which the provisions of this section are applicable.

SECTION 14.2 PERMITS FOR CURB LOADING ZONES. The City Traffic Commission shall not hereafter designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone. The City Traffic commission upon granting a permit and issuing such signs shall collect from the applicant and deposit in the City Treasury a service fee of Fifty Dollars (\$50.00) per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

SECTION 14.3 STANDING IN PASSENGER CURB LOADING ZONE. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed 3 minutes.

14.3.1 The 24' area adjacent to the curb, whose beginning point is 118' north of the "STOP" sign located at the northwest corner of the intersection of Ninth and Market Streets, on the west side of Market Street, is designated as an "UNLOADING" zone only, and when posted by the Traffic Engineer, shall be used only for the unloading of vehicular passengers at the community swimming pool, in accordance with the provisions of this section.

SECTION 14.4 STANDING IN FREIGHT CURB LOADING ZONE. No person shall Stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of materials in any place marked as freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

SECTION 14.5 CITY TRAFFIC COMMISSION TO DESIGNATE PUBLIC CARRIER STOPS AND STANDS. The City Traffic Commission is hereby authorized and required to establish bus stops, bus stands, taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as it shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs.

SECTION 14.6 STOPPING, STANDING, AND PARKING OF BUSES AND TAXICABS REGULATED.

- 14.6.1 The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.
- 14.6.2 The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.
- 14.6.3 The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than 18 inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.
- 14.6.4 The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

SECTION 14.7 RESTRICTED USES OF BUS AND TAXICAB STANDS. No person shall stop, stand, or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, (hackney) or taxicab waiting to enter or about to enter such zone.

ARTICLE XV: PART A, SNOW EMERGENCY REGULATIONS
Sections 15.1 thru 15.8
ARTICLE XV, PART B, REMOVAL AND IMPOUNDMENT OF VEHICLES
Sections 15.9 thru 15.12

SECTION 15.1 This Article XV (A) SHALL BE KNOWN AND MAY BE CITED AS THE "SNOW EMERGENCY REGULATIONS" OF THE TOWN.

SECTION 15.2 DEFINITIONS. For the purpose of this article the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- "Roadway" - That portion of a street or highway improved, designated, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.
- "Snow Emergency" - A condition declared to be such by the Traffic Engineer.

“Snow Routes” - Those streets marked as such in accordance with the provisions of the chapter.

SECTION 15.3 DECLARATION OF PARKING PROHIBITION ON SNOW EMERGENCY ROUTES.

- 15.3.1 Whenever the Traffic Engineer of the Town finds, on the basis of falling snow, sleet, or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau or other weather service of snow, sleet, or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on Town streets be prohibited or restricted for snow plowing and other purposes, the Town Superintendent shall put into effect a parking prohibition on parts of, or all, snow emergency routes as necessary by declaring it in a manner prescribed by this article.
- 15.3.2 Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Traffic Engineer in accordance with the provisions of this article; however, any street area which has become substantially clear of snow and ice from curb to curb for the length of the entire block shall be automatically excluded therefrom. Six (6) hours after announcement of a snow emergency and while the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.
- 15.3.3 Any provision of this article, which becomes effective by declaration of the Traffic Engineer or upon occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect. However, it shall not take precedence over provisions of law relating to traffic accidents, emergency travel, authorized emergency vehicles, or emergency traffic directions by a police officer.

SECTION 15.4 ANNOUNCEMENT OF DECLARATION. The Traffic Engineer shall cause each declaration of snow emergency made by him pursuant to this chapter to be publicly announced by means of available media broadcasts with a normal operating range covering the Town, and he may cause the declaration to be further announced through print media circulated in the Town. Each announcement shall describe the action taken, the time it will be in effect and shall specify the streets or areas affected; provided, however, the declaration of emergency will take effect when it is declared.

SECTION 15.5 TERMINATION OF PARKING PROHIBITION. Whenever the Traffic Engineer finds that some or all of the conditions which give rise to a parking prohibition in effect pursuant to the provisions of this article no longer exist, he may declare the prohibition terminated, in whole or in part, in a manner prescribed by this chapter, effective immediately upon announcement.

SECTION 15.6 SIGNS TO MARK SNOW EMERGENCY ROUTES. On each street designated by this chapter as a snow emergency route, the Traffic Engineer shall cause to be posted appropriate special signs. These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway.

SECTION 15.7 STALLED VEHICLE ON SNOW EMERGENCY ROUTE. Whenever a vehicle becomes stalled for any reason, whether or not in violation of this article on any part of a snow emergency route on which there is a covering of snow, sleet, or ice, or on which there is a

parking prohibition in effect, the person operating the vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of the snow emergency route, or onto the public space of a nearby driveway. No person shall abandon or leave his vehicle in the roadway of a snow emergency route (regardless of whether he indicates by raising the hood or otherwise that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station, or other place of assistance and return without delay.

SECTION 15.8 DESIGNATIONS OF SNOW EMERGENCY ROUTES. The following streets or portion of streets within the Town are hereby designated as snow emergency routes:

- A. Indiana Highway 114 from the east Town limits to the west Town limits
- B. Wayne Street
- C. Second Street
- D. Fourth Street
- E. Ninth Street
- F. Beckley Street
- G. South First Street to West South Street
- H. South Maple Street from Main Street (Indiana Highway 114) to the Sewage Treatment Plant
- I. West Main Street, from Indiana Highway 114 to Heeter Street
- J. Heeter Street from West Main Street to Indiana Highway 114
- K. Thorn Street

SECTION 15.9 REMOVAL AND IMPOUNDMENT OF VEHICLES.

15.9.1 The police officer are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety, including another place on a street, or to a garage designated by the Marshal or otherwise maintained by this Town, under the following circumstances or conditions:

- 15.9.1.1 The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect;
- 15.9.1.2 The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet, or ice or on which there a parking prohibition in effect and the person who was operating the vehicle does not appear to be removing it in accordance with the provisions of SECTION 15.7;
- 15.9.1.3 The vehicle is parked in violation of any parking ordinance or provision of law and is interfering or about to interfere with snow removal operations.

15.9.2 Whenever an officer removes or has removed a vehicle from a street as authorized in this section, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, the officer shall immediately give or cause to be given notice in writing to the owner of the fact of the removal, the reasons therefor, and of the place to which the vehicle has been removed. In the event the vehicle is stored in a public garage, a copy of the notice shall be given to the proprietor of the garage.

15.9.3 Whenever an officer removes or has removed a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as provided in

division (2) above, and in the event the vehicle is not returned to the owner within a period of three days, then the officer shall immediately send or cause to be sent a written report of the removal by mail to the Bureau of Motor Vehicles whose duty it is to register motor vehicles, and shall file a copy of the notice with the proprietor of any public garage in which the vehicle may be stored. The notice shall include a complete description of the vehicle, the date, time, and place from which it was removed, the reasons for the removal, and the name of the garage or place where the vehicle is stored.

15.9.4 It shall be the duty of the Town Marshal to keep record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition, and the parking violation involved.

15.9.5 This section shall be supplemental to any other provisions of law granting the Town Marshal authority to remove vehicles.

SECTION 15.10 RECOVERY OF IMPOUNDED VEHICLES. No person shall recover a vehicle removed in accordance with SECTION 15.9 except as provided herein. Before the recovery is allowed, the owner or other person authorized to recover the vehicle such person shall present to the Department of Public Safety proof of identity and right to possession of the vehicle; sign a receipt for return of the vehicle; and pay the actual costs of removal and storage.

SECTION 15.11 CITATION ON VEHICLES IN VIOLATION. Whenever any motor vehicle without a driver is found parked or left in any provision of this chapter, and is not removed and impounded as provided for in this chapter, the officer finding the vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously affix a traffic summons.

SECTION 15.12 EVIDENCE THAT VEHICLE WAS IN VIOLATION. In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this chapter, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this chapter, together with proof that the defendant named in the complaint was at the time the registered owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this chapter.

SECTION 15.13 PENALTY. Every person convicted of a violation of any provision of this article shall be punished by a fine, as for a parking where prohibited violation.

ARTICLE XVI: REGULATING THE KINDS AND CLASSES OF TRAFFIC ON CERTAIN HIGHWAYS

SECTION 16.1 LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN HIGHWAYS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified in Section 21.7 at any of the streets or parts of streets described in said Section 21.7 attached to and made a part of this ordinance.

SECTION 16.2 COMMERCIAL VEHICLES PROHIBITED FROM USING CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any commercial vehicle exceeding (pounds) gross weight at any time upon any of the streets or parts of streets described in Section 21.8 attached to and made a part of this ordinance, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or

merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

SECTION 16.3 RESTRICTION UPON USE OF STREETS BY CERTAIN VEHICLES.

- 16.3.1 The City Traffic Commission is hereby authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horse drawn vehicles of other nonmotorized traffic and shall erect appropriate signs giving notice thereof.
- 16.3.2 When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

ARTICLE XVII: TRAFFIC VIOLATIONS BUREAU

SECTION 17.1 TRAFFIC VIOLATIONS BUREAU CREATED.

- 17.1.1 The North Manchester Town Court may establish a Traffic Violations Bureau and appoint a Violations Clerk who shall serve under the direction and control of the court in accordance with IC 34-4-32-5. In the absence of the Violations Clerk, or if none is appointed, the Judge of the Town Court, may exercise and perform all of the functions of the Violations Clerk. (Adopted June 7, 1995.)
- 17.1.2 The magistrate or magistrates who hear traffic cases shall designate the specified offenses under the traffic ordinances of this City and the State traffic laws in respect to which payments of fines may be accepted by the Traffic violations Bureau in satisfaction thereof, and shall specify by suitable schedules the amount of such fines for first, second, and subsequent offenses, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the magistrate.

SECTION 17.2 WHEN PERSON CHARGED MAY ELECT TO APPEAR AT BUREAU OR BEFORE MAGISTRATE.

- 17.2.1 Any person charged with an offense for which payment of a fine may be made to the Traffic Violations Bureau shall have the option of paying such fine within the time specified in the notice of arrest at the Traffic violations Bureau upon waiving appearance in court; or may have the option of depositing required lawful bail, and upon a plea of not guilty shall be entitled to a trial as authorized by law.
- 17.2.2 The payment of a fine to the bureau shall be deemed an acknowledgement of conviction of the alleged offense, and the bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

SECTION 17.3 DUTIES OF TRAFFIC VIOLATIONS BUREAU. The following duties are hereby imposed upon the Traffic Violations Bureau in reference to traffic offenses:

- 17.3.1 It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney.
- 17.3.2 It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

17.3.3 It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding 12 months, whether such guilt was established in court or in the Traffic Bureau.

SECTION 17.4 TRAFFIC VIOLATIONS BUREAU TO KEEP RECORDS. The Traffic Violations Bureau shall keep record and submit summarized monthly reports to the Town Marshal of all notices issued and arrests made for violations of traffic laws and ordinances in this City and of all the fines collected by the Traffic Violations Bureau or the court, and of the final disposition or present status of every case of violation of the provisions of said laws and ordinances. Such records shall be so maintained as to show all types of violations and the totals of each. Said records shall be public records.

SECTION 17.5 ADDITIONAL DUTIES OF TRAFFIC VIOLATIONS BUREAU. The Traffic Violations Bureau shall follow such procedure as may be prescribed by the traffic ordinances of this City or as may be required by any laws of this State.

ARTICLE XVIII: PENALTIES AND PROCEDURES ON ARREST

SECTION 18.1 PENALTIES. Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than (\$100.00) dollars or by imprisonment for not more than (30) days or by both such fine and imprisonment.

SECTION 18.2 FORMS AND RECORDS OF TRAFFIC CITATIONS AND ARRESTS.

18.2.1 The City Clerk-Treasurer shall provide books to include traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances in the traffic court of this City. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed and approved by the Town Marshal.

18.2.2 The City Clerk-Treasurer shall issue such books to the Town Marshal or his duly authorized agent and shall maintain a record of every book so issued and shall require a written receipt for every such book.

18.2.3 The Town Marshal shall be responsible for the issuance of such books to individual members of the police force. The Town Marshal shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein.

SECTION 18.3 PROCEDURE OF POLICE OFFICERS. Except when authorized or directed under State law to immediately take a person before a magistrate for the violation of any traffic laws, a police officer who halts a person for such violation other than for the purpose of giving him a warning or warning notice and does not take such person into custody under arrest shall take the name, address, and operator's license number of said person, the registered number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him in writing on a form provided by the City Clerk-Treasurer a traffic citation containing a notice to answer to the charge against him in the traffic court of this City at a time at least five days after such alleged violation to be specified in said citation. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody.

SECTION 18.4 DISPOSITION AND RECORDS OF TRAFFIC CITATIONS, WARRANTS, AND COMPLAINTS.

- 18.4.1 Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic ordinance of this City shall deposit the original and a duplicate copy of the citation with his immediate superior officer, who shall cause the original to be delivered to the traffic court of this City and said duplicate copy to the central records section of the Police Department. The second duplicate copy of the citation shall be retained in the traffic citation book and shall be delivered by such superior officer to the City Clerk-Treasurer together with such book when all traffic citations therein have been used.
- 18.4.2 Upon the filing of such original citation in the traffic court of this City as aforesaid, said citation may be disposed of only by trial in said court or by other official action by a judge of said court, including forfeiture of bail or by payment of a fine to the Traffic Violations Bureau of said court.
- 18.4.3 The Town Marshal shall require the return to him of each traffic citation and all copies thereof except that copy required to be retained in the book as provided herein, which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.
- 18.4.4 The Town Marshal shall also maintain or cause to be maintained in connection with every traffic citation issued by a member of the Police Department a record of the disposition of the charge by the traffic court of this City or its Traffic Violations Bureau.
- 18.4.5 The Town Marshal shall also maintain or cause to be maintained a record of all warrants issued by the traffic court of this City or by any other court on said traffic violation charges and which are delivered to the Police Department for service, and of the final disposition of all such warrants.
- 18.4.6 It shall be unlawful and official misconduct for any member of the Police Department or other officer or Public employee to dispose or alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this section.

SECTION 18.5 ILLEGAL CANCELLATION OF TRAFFIC CITATIONS. It shall be unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this article.

SECTION 18.6 WHEN COPY OF CITATION SHALL BE DEEMED A LAWFUL COMPLAINT. In the event the form of citation provided under SECTION 18.2 includes information and is sworn to as required under the general laws of this State in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this ordinance.

SECTION 18.7 FAILURE TO OBEY CITATION. It shall be unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued.

SECTION 18.8 CITATION ON ILLEGALLY PARKED VEHICLE. Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this City or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user,

and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the City Clerk-Treasurer for the driver to answer to the charge against him within five days during the hours and at a place specified in the citation.

SECTION 18.9 FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE. If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five (5) days, the Police Department shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five (5) days a warrant of arrest will be issued.

SECTION 18.10 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING.

18.10.1 In any prosecution charging a violation of any law or regulation governing the standing or parking of vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred.

18.10.2 The foregoing stated presumption shall apply only when the procedure as prescribed in SECTION 17.7 and 17.8 has been followed.

SECTION 18.11 WHEN WARRANT TO BE ISSUED. In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the (traffic court) (Traffic Violations Bureau), or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the (clerk of the traffic court) (Traffic Violations Bureau) shall secure and issue a warrant for his arrest.

SECTION 18.12 RECORD OF TRAFFIC CASES -- REPORT OF CONVICTIONS TO STATE DEPARTMENT OF MOTOR VEHICLES.

18.12.1 Every magistrate or judge of a court shall keep or cause to be kept a record of every traffic complaint, traffic citation, or other legal form of traffic charge deposited with or presented to said court or its Traffic Violations Bureau, and shall keep a record of every official action by said court or its Traffic Violations Bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgement of acquittal, and the amount of fine or forfeiture resulting from every said traffic complaint or citation deposited with or presented to said court or Traffic Violations Bureau.

18.12.2 Within ten (10) days after conviction of forfeiture of bail of a person upon charge of violating any provision of this act or other law regulating the operation of vehicles on highways every said magistrate of the court or clerk of the court of record in which such conviction was held or bail was forfeited shall prepare and immediately forward to said State Department of Motor Vehicles an abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any conviction involving the illegal parking or standing of a vehicle.

18.12.3 Said abstract must be made upon a form furnished by said State Department of Motor Vehicles and shall include the name and address of the party charged, the number, if any, of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgement or whether bail was forfeited, and the amount of the fine or forfeiture as the case may be.

18.12.4 Every court of record shall also forward a like report to said State Department of Motor Vehicles upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

18.12.5 The failure, refusal or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom.

~~SECTION 18.13 DISPOSITION OF TRAFFIC FINES AND FORFEITURES. All fines and/or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this ordinance shall be paid into the City Town treasury and deposited in a special fund to be known as the "Street Traffic Improvement Fund", which is hereby created and which shall be used exclusively in the construction, maintenance, and repair of public streets, bridges, and street structures, or for the installation and maintenance of traffic control devices thereon. the GENERAL FUND, except for funds required to be deposited in the ORDINANCE ENFORCEMENT EXPENSE FUND under Title I, Chapter III, Article XVIII. Repealed December 1, 2004.~~

SECTION 18.13 DISPOSITION OF TRAFFIC FINES AND FORFEITURES. *Except for funds from parking violations and other funds required to be paid into the Ordinance Enforcement Expense Fund under Article XVIII, Chapter II, Title I, all fines and forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this Title VII shall be paid to the Town treasury and deposited in the General Fund. Amended December 1, 2004.*

~~SECTION 18.14 OFFICIAL MISCONDUCT. Failure, refusal or neglect on the part of any judicial or other officer or employee receiving or having such custody of any such fine or forfeiture, either before or after a deposit in said "Street Traffic Improvement Fund", to comply with the foregoing provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom. Repealed December 1, 2004.~~

SECTION 18.15 AUTHORITY TO IMPOUND VEHICLES.

18.15.1 Members of the Police Department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety or to a garage designated or maintained by the Police Department, or otherwise maintained by this City under the circumstances hereinafter enumerated.

18.15.1.1 When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.

18.15.1.2 When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

18.15.1.3 When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

18.15.2 Whenever an officer removes a vehicle from a street as authorized in the section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

18.15.3 Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the State Department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle is stored, such written report to include the date, time, and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

ARTICLE XIX: PENALTIES FOR VIOLATION OF ARTICLES XIII, XIV OR XV

SECTION 19.1 Any vehicle found to be in violation of any of the provisions of ARTICLE XIII, XIV, OR XV by the enforcing officer shall have a parking violation ticket placed on the vehicle or given to the operator.

SECTION 19.2 The penalty for violation of ARTICLE XIII, XIV, or XV shall be the sum of ~~Fifteen (\$15.00)~~ Ten (\$10.00) dollars if the violation is paid within twenty-four (24) hours after the time of violations stated on the ticket, or ~~Fifteen (\$15.00)~~ dollars if the violation is paid after twenty-four (24) hours but within five (5) days of the violation; ~~not including Saturday and Sunday, after the parking violation ticket is issued~~; PROVIDED, HOWEVER, the penalty for violation of the parking and standing prohibitions in hazardous or congested places in Article XIII, Section 13.10 and for violation of the handicapped parking restrictions of Article XIII, Section 13.12 shall Fifty Dollars (\$50.00). ~~Amended May 3, 2000. Amended November 5, 2003.~~

SECTION 19.3 Any parking violation ticket issued under Article XIII, XIV, or XV and not paid within five (5) days after issuance shall be subject to a citation in a court having jurisdiction to answer to said parking violation.

SECTION 19.4 Each two-hour (2) period during which a vehicle is in violation of ARTICLE XIII, XIV, OR XV shall constitute a separate and distinct offense.

ARTICLE XX: EFFECT OF AND SHORT TITLE OF ORDINANCE

SECTION 20.1 EFFECT OF ORDINANCE. If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 20.2 REPEAL. All traffic ordinances of this City hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution

or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

SECTION 20.3 PUBLICATION OF ORDINANCE. The City Clerk-Treasurer shall certify to the passage of this ordinance and cause the same to be published in a local newspaper of general paid circulation published in the City.

SECTION 20.4 SHORT TITLE. This ordinance may be known and cited as the Traffic Ordinance.

SECTION 20.5 EFFECTIVE DATE. This ordinance shall take effect from and after publication as described by law.

ARTICLE XXI: SCHEDULES OF DESIGNATED STREETS REFERRED TO IN ORDINANCE

SECTION 21.1 ONE-WAY STREETS. In accordance with SECTION 7.2 and when properly signposted, traffic shall move only in the direction indicated upon the following streets:

One-way street: Pony Creek Road, from Cecil Street to Market Street is one-way east.

One-way alley: East-west alley between Second and Third Streets from North Mill Street to North Walnut Street is one-way west.

~~One-way alley: East-west alley between Main and Second Street from Front Street to Market Street is one-way east. Deleted 6/6/2001~~

~~One-way alley: North-south alley between Front Street and Market Street from Second Street to Main Street is one way south. Deleted 6/6/2001~~

SECTION 21.2 THROUGH STREETS. In accordance with the provisions of Section 8.1 and when signs are erected giving notice thereof drivers of vehicles shall stop at every intersection before entering any of the following streets or parts of streets:

(East and West Streets) Fourth Street, Indiana Highways 13 and 114, Main Street, Ninth Street and Second Street,

(North and South Streets) Beckley Street, Indiana Highway 13, Market Street, Mill Street and Wayne Street.

SECTION 21.3 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS. In accordance with ARTICLE 13, and when signs are erected giving notice thereof no person shall at any time park a vehicle upon any of the following streets or part of street:

East side of South Maple Street from West South Street to south end of South Maple Street;

South side of West Main Street from Buffalo Street to First Street;

East side of North Maple Street from West Main Street to West Second Street;

East side of Wayne Street from East Main Street to East Fourth Street;

~~West side of Bond Street from College Avenue to Miami Street;~~ Adopted November 5, 2003.

North side of Second Street from Market Street to Front Street;

South side of West Second Street from North Maple Street to Washington Street;

~~West side of Ruse Street from College Avenue to Miami Street;~~ Adopted November 5, 2003.

South side of West Fourth Street from Wabash Street to Beckley Street;
South side of Miami Street from Wayne Street to East Street;
South side of East Fourth Street from North Mill Street to Wayne Street;
East and west side of South Market Street bridge on north side of Eel River;
North side of West Main Street between West Street and Heeter Street;
West side of Sycamore Street from Second Street to Third Street;
West side of Sycamore Street from Second Street to Ninth Street;
East side of Mill Street between Third Street and Fourth Street;
North side of Ninth Street from Wayne Street to Ruse Street;
South side of Second Street, within forty (40) feet of the crosswalk at the southwest corner of the intersection of Second and Walnut Streets;
West side of Elm Street, between Fourth Street and Seventh Street;
South side of Fourth Street, between Wayne Street and Bond Street;
North side of South Street, between Elm and Half Streets;
East side of Walnut Street, from the driveway of the Medical Clinic to the south line of Seventh Street;
East side of Wayne Street, for a distance of seventy (70) feet from its south curb line with Ninth Street and for a distance of fifty-four (54) feet from its north curb line with Ninth Street;
East side of Weimer Street, between Indiana Highway 114 and Fourth Street.
North side of Third Street, between Bond and Wayne Streets. *Adopted 3/7/2001.*
Either side of Market Street, between S.R. 13 and the first alley north of Ninth Street. *Adopted 3/7/2001.*
West side of Mill Street, for a distance of twenty-five (25) feet south from the south line of College Avenue. *Adopted 3/7/2001.*
East side of Wayne Street for a distance of thirty-six (36) feet from the north line of the intersection of Wayne and Miami Streets. *Adopted 2/6/2002.*
East side of Wayne Street for a distance of sixty (60) feet south from the south line of the entrance to the Schwalm Hall parking lot on the campus of Manchester College. *Adopted 2/6/2002.*
Either side of Half Street, south of South Street. *Adopted 7/11/2002.*
West side of Ruse Street, from College Avenue to Miami Street, *Adopted November 5, 2003.*
West side of Bond Street, from Ninth Street to College Avenue. *Adopted November 5, 2003.*
Either side of Shah Drive (at the Ruppel Sports Complex.) *Added 9/1/04.*

SECTION 21.4 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS. In accordance with Section 13.1.1.1 and when signs are erected giving notice thereof, no person shall park a vehicle between the hours specified herein within the district or upon any of the streets or part of streets as follows:

No parking 1:00 a.m. to 6:00 a.m. Friday, on the following:

North Mill Street, both sides – between Main and Second Streets,
East Second Street – between North Mill and North Market Streets,
North Market Street, both sides – between Main and Second Streets.

No parking from 3:30 a.m. to 6:00 a.m. on the following:

Both sides of Main Street between Front Street and Mill Street;
Both sides of Walnut Street from Main Street to Second Street.

SECTION 21.5 STOPPING, STANDING ON CERTAIN STREETS PROHIBITED.

In accordance with Section 16.3.2 and when signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified herein of any day except Sunday and public holidays within the district or upon any of the streets or parts of streets as follows:

East Second Street – between North Mill and North Sycamore Streets

SECTION 21.6 PARKING TIME LIMITED ON CERTAIN STREETS. In accordance with ARTICLE XIII, Section 13.1.1.1, and when signs are erected giving notice thereof, no person shall park a vehicle at times and places as follows:

On Main Street between Front and Mill Streets, on Market Street from Main to Second Street, on Walnut Street from Main to Second Street, and in the American Legion parking lot, for longer than two (2) hours Monday thru Saturday, between the hours of 9:00 a.m. and 5:00 p.m. PROVIDED, HOWEVER, proprietors of businesses within the defined area or their duly authorized employees may, on the citation for violation, certify in writing that the person bearing the citation was an invitee or customer within the business of the proprietor at the time the citation was issued and return the citation to the police department within twenty-four (24) hours after the citation was issued, excluding Saturday, Sunday and Holidays. The Town Marshal is granted the discretion to void parking citations properly certified and returned.

SECTION 21.7 LOAD RESTRICTIONS UPON VEHICLES USING CERTAIN STREETS. In accordance with Section 16.1 and when signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified herein at any time upon any of the following streets or parts of streets;

SECTION 21.8 COMMERCIAL VEHICLES PROHIBITED FROM USING CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate a commercial vehicle except as provided under Section 16.2 upon any of the following streets or parts of streets:

SECTION 21.9 STOP AND YIELD SIGNS LISTED. Stop signs shall be erected and operators of vehicles shall stop for oncoming vehicles before entering the following described intersections:

On Baker Street, stop for Beckley;
On Beckley Street, stop for Main;
On Beckley Street, stop for S.R. 13;
On Beckley Street, stop for Thorne;
On Beckley Street, stop for Ninth;
On Bond Street, stop for College;
On Bond Street, stop for Ninth;
On Bond Street, stop for Seventh;
On Bond Street stop for Sixth;
On Bond Street, stop for Fifth;
On Bond Street, stop for Miami;
On Buffalo Street, all traffic stop for Main;
On Buffalo Street, all traffic stop for Second;
On Buffalo Street, stop for West South;
On Buffalo Street, stop for Colfax;
On Buffalo Street, stop for Fourth;
On Campus Drive, stop for Wayne;
On Campus Drive, stop for East;
On Cecil Street, all traffic stop for Parke Avenue;
On Charlie Street, all traffic stop for Baker Street;

On Charlie Street, all Traffic stop for Ron Court;
On Colfax Street, stop for Half;
On Colfax Street, stop for Buffalo;
On Colfax Street, all traffic stop for First Street;
On Colfax Street, stop for Half;
On Colfax Street, stop for High;
On Colonial Lane, stop for Westchester;
On College Avenue, stop for Market;
On College Avenue, stop for Wayne;
On College Avenue, stop for East;
On Country Lane, stop for Westchester;
On Crestview Drive, all traffic stop for Villa Court;
On Crestview Drive, all traffic stop for Frantz Drive;
On Damron Drive, stop for Market;
On East Street, stop for College;
On East Street, stop for S.R. 13;
On Eighth Street, stop for Walnut;
On Elm Street, stop for Main;
On Elm Street, stop for Second;
On Elm Street, stop for Fourth;
On Elm Street, all traffic stop for Seventh Street;
On Fellowship Drive, southbound traffic stop for Indiana State Highway 114;
On Fifth Street, stop for Mill;
On Fifth Street, stop for Sycamore;
On Fifth Street, stop for Wayne;
On Fifth Street, west-bound traffic stop for Beckley;
On Fifth Street, stop for Maple;
On Fifth Street, stop for Buffalo;
On Fifth Street, all traffic stop for Elm Street;
On First Street, stop for Main;
On First Street, stop for West South;
On Fourth Street, stop for Beckley;
On Fourth Street, stop for Market;
On Fourth Street, stop for Wayne;
On Fourth Street, stop for Mill;
On Fourth Street, stop for Bond;
On Fourth Street, stop for Strauss-Provimi Rd;
On Fourth Street; west-bound traffic stop for Kech;
On Front Street, stop for Second;
On Front Street, stop for Main;
On Front Street, stop for Third;
On Front Street, stop for Fourth;
On Grandview Court, all traffic stop for Grandview Drive;
On Grandview Drive, all traffic stop for Damron Drive;
On Grandview Drive, all traffic stop for Sunset Drive;
On Grant Street, stop for Buffalo;
On Grant Street, all traffic stop for First Street;
On Groff Avenue, stop for Wayne;
On Half Street, all traffic stop for West South Street;
On South Half Street, stop for West South;
On Heckathorn Drive, stop for Cook Road;
On Heeter Street, all traffic stop for Main Street;
On Heeter Street, stop for West Main Street;
On Hill Street, all traffic stop for Market Street;
On Hillsamer Drive, all traffic stop for Orchard Drive;
On Ivy Court, all traffic stop for River Cove Lane;

On Kessler Street, stop for West Third;
On Laurel Circle (N), all traffic stop for Hillcrest Drive;
On Laurel Circle (S), all traffic stop for Hillcrest Drive;
On Maple Street, stop for Main;
On Maple Street, all traffic stop for Third Street;
On Maple Street, stop for Fourth;
On North Maple Street, stop for West Second;
On Market Street, stop for Ninth;
On Market Street, stop for S.R. 13;
On Meadow Lane, all traffic stop for Seventh Street;
On Meadowdale Drive, all traffic stop for Frantz Drive;
On Meadowdale Drive, stop for Villa Court;
On Meridian Street, northbound traffic stop for Conrail railroad crossing;
On Merkle Street, all traffic stop for Second Street Extd.;
On Miami Street, stop for Wayne;
On Miami Street, stop for East;
On Mill Street, stop for Ninth Street;
Before entering the intersection of Mill Street and Seventh Streets, all traffic shall stop
before proceeding through said intersection;
On Ninth Street, stop for Beckley;
On Ninth Street, stop for Market;
On Ninth Street, stop for Wayne;
On Ninth Street, stop for East;
On Old Wabash Road, eastbound traffic stop for Wabash Road;
On Orchard Drive, stop for East;
On Orchard Drive (W), all traffic stop for Orchard Drive;
On Parke Avenue, stop for Market;
On Pony Creek Road, stop for Market;
On River Cove Lane, all traffic stop for Main;
On River Road, stop for Singer Road;
On Ruse Street, stop for College Avenue;
On Ruse Street, stop for Miami;
On Ruse Street, all traffic stop for Seventh Street;
On Rustic Lane, all traffic stop for Villa Court;
On Rustic Lane, stop for Westchester;
On Rustic lane, all traffic stop for Villa Court;
On Second Street, stop for Washington;
On Second Street, stop for Market;
On Second Street, stop for Mill;
On Second Street, stop for Wayne;
On Second Street, stop for Wabash;
On Seventh Street, stop for Walnut;
On Seventh Street, stop for Mill;
On Seventh Street, stop for Wayne;
On Seventh Street, stop for East;
On Seventh Street, stop for Market;
On Singer Road, east bound traffic stop for River Road;
On Sixth Street, stop for Mill;
On Sixth Street, stop for Sycamore;
On Sixth Street, stop for Wayne;
On Sixth Street, stop for East;
On Sixth Street, stop for Buffalo;
On Sixth Street, all traffic stop for Maple;
On Sixth Street, all traffic stop for Elm;
On Snyder Street, stop for Fourth Street;
On South Street, stop for Maple;

On South Street, stop for Sycamore;
 On South Street, stop for Wabash;
 On South Street, all traffic stop for Buffalo;
 On South Street, eastbound and westbound traffic shall stop before crossing Norfolk
 Southern railroad crossing. Adopted 2/6/2002.
 On East South Street, stop for Main;
 On West South Street, stop for Half;
 On West South Street, stop for South Half;
 On West South Street, stop for Conrail Railroad crossing;
 On Strauss-Provimi Road, stop for Thorne;
 On Strauss-Provimi Road, all traffic stop for Third;
 On Strauss-Provimi Road, stop for Fourth;
 On Strauss-Provimi Road, stop for West Fourth;
 On Strauss-Provimi Road, stop for Ninth Street;
 On Sunset Court, all traffic stop for Sunset Drive;
 On Sunset Drive, northbound traffic stop for Damron Drive;
 On Surrey Lane, all traffic stop for Main;
 On Sycamore Street, stop for Mill;
 On Sycamore Street, stop for Main;
 On Sycamore Street, stop for Second;
 On Sycamore Street, stop for Fourth;
 On Sycamore Street, stop for Seventh;
 On Sycamore Street, stop for Ninth;
 On Sycamore Street, stop for College Avenue;
 On Sycamore Street, stop for Kohser Street;
 On Sylers Lane, stop for Westchester;
 On Taylor Street, stop for Hanley Road;
 On Third Street, stop for Elm;
 On Third Street, stop for Market;
 On Third Street, stop for Mill;
 On Third Street, stop for Buffalo Street;
 On Third Street, stop for Sycamore;
 On Third Street, stop for Wayne;
 On Third Street, stop for Walnut;
 On Third Street, stop for Beckley;
 On Third Street, stop for Wabash Road,
 On Weimer Street, all traffic stop for Fourth;
 On West Street, all traffic stop for Thorne;
 On West Third Street, stop for Washington;
 On Thorne Street, stop for Wabash Street;
 On Thorne Street, west-bound traffic stop for Strauss-Provimi Road;
 On Thorne Street, stop for Wabash Street;
 On Tippy Lane, stop for Briarwood Drive;
 On Wabash Road, stop for Main;
 On Wabash Road, stop for Fourth;
 On Walnut Street, stop for Main;
 On Walnut Street, stop for Second;
 On Walnut Street, stop for Fourth;
 On Walnut Street, stop for Ninth;
 On Walnut Street, stop for College Avenue;
 On Walnut Street, stop for Kohser Street;
 On Washington Street, all traffic stop for Fifth Street;
 On Washington Street, stop for Main;
 On Washington Street, stop for Second;
 On Washington Street, stop for Fourth;
 On Wayne Street, stop for Main;

On Wayne Street, stop for S.R. 13;
On West Street, stop for Main;
On Westchester Drive, stop for Colonial Lane;
On Woodland Drive, all traffic stop for Sunset Drive;
On Woodland Drive, stop for Wayne;
On Yaney Drive, all traffic stop for Kohser;

Yield signs shall be erected and operators of vehicles shall yield to oncoming vehicles before entering the following described intersections;

Automatic Traffic stops and go signals at:

East Main Street and Mill Street;
Market Street and Main Street;

SECTION 21.10 MAXIMUM SPEED LIMITS. The same being a specific listing of those streets and locations prescribed by Article V, Section 5.1.2, 5.1.3, 5.1.4, 5.3 and 5.4, as follows:

Ninth Street, between Market and Beckley Streets,
Twenty (20) miles per hour, when children are present;
River Road, between State Road 114 (Main Street) and Singer Road,
Twenty (20) miles per hour, when children are present;
Shock Road, between River Road and a Point 500 feet east thereof,
Twenty (20) miles per hour, when children are present;
College Avenue, from Wayne Street to East Street,
Twenty (20) miles per hour;
East Street, from College Avenue to Indiana Highway 13,
Twenty (20) miles per hour;
Singer Road between Sycamore Street and River Road Extended (covered bridge)
Fifteen (15) miles per hour.

ARTICLE XXII. SCHEDULE OF VACATED ALLEYS

Portion of alley lying on north side of Lot 12 of Michael Henney's Addition to the Town of North Manchester. Beginning at a point in the north line of said Lot #12, seventy six and fifty hundredths (76.50) feet west of the northeast corner thereof; thence north sixteen and fifty hundredths (16.50) feet to the north line of said alley; thence west along the north line of said public alley and the south line of Lot #13 of said addition, thirty-four and ten hundredths (34.10) feet to the southwest corner of said Lot #13; thence in a southeasterly direction seventeen and seventy hundredths (17.70) feet to the northwest corner of Lot #12 of said addition; thence east along the north line of said Lot #12, twenty eight and thirty three hundredths (28.33) feet to the place of beginning. *Adopted March 2, 1940. Recorded June 21, 1940. (Civil Engineer and the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad Company.) Part of east/west alley, between Lots 12 & 13 between Main & Second Streets.*

Fourth Street and alley: Commencing at the northeast corner of Lot #6 in said Aug. C. Mills & Co. Addition to the Town of North Manchester, thence west four hundred forty-six feet four inches (446'4") to the northwest corner of Lot #10 in said addition, thence north 12 feet, thence east four hundred and forty-six feet and four inches (446'4") to a point; thence south 12 feet to the point of beginning, the same being a 12 foot alley on the north side of Lots #6, #7, #8, #9 and #10 in said addition. Said applicant is the owner of all of said lots and the tract on the north of such alley.

Also, commencing at the northwest corner of Lot #7 in said Aug. C. Mills & Co. Addition to the Town of North Manchester; thence west 12 feet to the northeast corner of Lot #8; thence south one hundred and thirty-two feet to the southeast corner of Lot #8; thence east 12 feet to the southwest corner of Lot #7; thence north 132 feet to the point of beginning. This is the alley between lots #7 and #8 in said A. C. Mills & Co. Addition, the same being 12 feet in width. Said applicant is the owner of Lots #7 and #8 hereof.

Also, commencing at the northeast corner of Lot #18, thence west 252 feet to the northwest corner of Lot #15; thence north 50 feet to the southwest corner of Lot #9; thence east 252 feet to the southeast corner of Lot #6; thence south 50 feet to the point of beginning, all of said lots being in the Aug. C. Mills & Co. Addition to the Town of North Manchester. Said area is otherwise described as that part of Fifth Street extending from the west limits of Kessler Street through and to the east limits of West Street in the Town of North Manchester. *Petition adopted November 29, 1958. (Peabody Seating Company.)*

That portion of an alley running east and west between Maple and Buffalo Street, further described as follows: Commencing at the southwest corner of Lot #13 in A. C. Mills Addition to the Town of North Manchester, thence east 150 feet; thence south 16-1/2 feet to the northeast corner of Lot #10, same Addition; thence west 150 feet to the northwest corner of Lot #12, same addition; thence north 16.50 feet to the place of beginning. *Petition filed 1959. Protests filed February 2, 1959. Summons issued to Council February 4, 1959. (Petitioners: Eldon M. Wright, Frances Al Wright, Orval E. Baker.) Outcome unknown.*

That portion of the east-west alley in August C. Mills & Company's Addition to the Town of North Manchester, Wabash County, Indiana, lying between Lots 34 and 59 in said Addition. *Resolution #2, 1961. Adopted June 5, 1961. (Sam Blocher.)*

The south one (1) foot of the public alley which runs in an east-west direction lying between Half and Miami Streets and commencing at the easterly line of the right-of-way of Wayne Street and running thence east to the first north-south alley intersecting the same. *Public hearing held February 4, 1963. (Clara Crowell, Clerk-Treasurer.) Freed alley.*

Portion of alley beginning at the northwest corner of Lot #137 in the Original Plat of North Manchester, Indiana; thence north a distance of 16.50 feet to the southwest corner of Lot #126; thence east along the south line of said Lot #126 a distance of 78.375 feet to the southeast corner of said lot; thence south a distance of 16.50 feet to the northeast corner of said Lot #137 of the Original Plat; thence west along the north line of said Lot #137 a distance of 78.375 feet to the place of beginning. *Resolution #4, 1963, adopted June 24, 1963. (Bryan Manufacturing.)*

Sixteen foot alley, running the complete length from Elm Street on the east through to Maple Street on the west. From the northwest corner of Lot #35 in the Oak Park Addition to the Town of North Manchester; thence east to the northeast corner of Lot #42 in said addition; thence north to the southeast corner of Lot #50 in the aforesaid addition; thence west to the southwest corner of Lot #43 in the same addition; thence south to the point of beginning. *Legal ad filed May 2, 1967. (Peabody Memorial Home.) Outcome unknown.*

Alley beginning at the southeast corner of Lot #21 in Fairview Addition to the Town of North Manchester, Indiana, thence north along the west edge of a public alley to the northeast corner of Lot #17 in said addition; thence east along the south line of College Avenue to the northwest corner of Lot #8 in said addition; thence south along the east line of a public alley to the southwest corner of Lot #4 in said addition; thence west to the place of beginning. *Resolution #5, 1967, adopted May 1, 1967. (Glen Heckman.)*

Alley located from the northwest corner of Lot #32 in the Fairview Addition, to the Town of North Manchester, Indiana, thence south to the southwest corner of Lot #27 in the said addition; thence west to the southeast corner of Lot #46 in the aforesaid addition; thence north to the

northeast corner of Lot #41 in the same addition; thence east to the point of beginning. *Resolution #8, 1967, adopted June 5, 1967. (Fred Kissinger, Margaret Kissinger, Peggy Schmalzried, John Pottenger, Maude Pottenger, Dorothy Hoover, Russell Tracy, Edna Tracy, Ethel Olinger, James Stewart, Barbara Stewart, Ethel Guthrie, Ralph Boyer, Jessie Boyer, Orville Cole, Mrs. Oscar Monce, John Weber, Hima Weber, Keith Ream, Elsie Ream.)*

Also all in the same Fairview Addition, from the northwest corner of Lot #26; thence south to the southwest corner of Lot #25; thence west to the southeast corner of Lot #48 in the same addition; thence north to the northeast corner of Lot #47 in the same addition, thence east to the point of beginning. *Resolution #8, 1967, adopted June 5, 1967. (Fred Kissinger, Margaret Kissinger, Peggy Schmalzried, John Pottenger, Maude Pottenger, Dorothy Hoover, Russell Tracy, Edna Tracy, Ethel Olinger, James Stewart, Barbara Stewart, Ethel Guthrie, Ralph Boyer, Jessie Boyer, Orville Cole, Mrs. Oscar Monce, John Weber, Hima Weber, Keith Ream, Elsie Ream.)*

Beginning at the northwest corner of Lot 30 in the Original Plat of Manchester, now called North Manchester, thence south along the west line of Lot 30, 156.75 feet to the southwest corner thereof; thence west 16.50 feet to the southeast corner of Lot 31 in said addition; thence north on the east line of Lot 31, 156.75 feet to the northeast corner of said lot; thence east 16.50 feet to the place of beginning. Containing .0594 of an acre. *Resolution adopted July 7, 1971. (Indiana Lawrence Bank and Trust Company.)*

Public alley lying south of the south line of Lots #1, #2, #3, #4, #5 and #6 of John Ennis' Addition to the Town of North Manchester, with its westerly terminus being West Street and its easterly terminus being Beckley Street. *Petition recorded March 7, 1978. (The Warner Corp., George W. Clark, Max E. Clark and Joann Miller.)*

Portion of a public alley which lies between Lots #38 and #39 in August C. Mills and Company's Addition; said alley being 12 feet by 132 feet and bounded on the west by Lot 38; on the east by Lot 39; on the north by the south side of Fourth Street; and on the south by the north line of an east-west public alley lying between Third and Fourth Street in said subdivision. *Petition recorded November 26, 1980. (Sincroft Sales, Inc.)*

Beginning at a cut off concrete post at the northwest corner of Block 1 in Shively and Metzger's Second Addition to the Town of North Manchester; thence north twenty (20) feet to a point on the east line of Beckley Street; thence east one hundred eighty-seven and fifty hundredths (187.50) feet to a point on the west line of a north-south alley; thence south twenty (20) feet to a point at the northeast corner of Block 1 in Shively and Metzger's Second Addition to the Town of North Manchester; thence west along the north line of Block 1 one hundred eighty-seven and fifty hundredths (187.50) feet to the point of beginning; containing .086 acres, more or less. *Petition recorded October 19, 1985 by Glen L. Blocher, Eleanor L. Blocher, BKB Manufacturing, Inc., by Barry K. Blocher, President.*

The alley, 13 feet wide north and south and 216 feet long east and west between Lots #2 and #3 in Joshua Wood's Addition to the Town of North Manchester. *Special Ordinance #1, 1989, adopted March 1, 1989. (Ralph McFarland.)*

Alley abutting owned by R. Ned Brooks and Ronald D. Brooks for that portion abutting on part of Lot 3 and Lot 4, Colleen Houser for that portion abutting on Lot #1, and Paul Kissinger for that portion abutting on Lot and part of Lot 3. Begin at the northwest corner of Lot #1 in College View Addition to the Town of North Manchester; thence north to the southwest corner of Lot #2 in said addition; thence east on the south line of Lots #2, #3 and #4 to the right of way line of the Pennsylvania Railroad; thence southwesterly along said right of way line to a point where said right of way line would intersect the north line of Lot #1 if prolonged; thence west along the north line of Lots 31 to the place of beginning. *Resolution adopted July 2, 1997. (R. Ned Brooks, Ronald D. Brooks, Colleen Houser and Paul Kissinger.)*

That a certain alley contained in the original plat of Oak Park Addition and now contained within the replat of Oak Park Addition, shall be and are now vacated. Said vacated alleyway shall be added to Lots 5 and 7 of said replat of Oak Park Addition as was shown on the replat approved by the Town of North Manchester. Further, the vacation shall extend a distance of 184' west from the western right-of-way line of Elm Street, and shall include the entire width of said alleyway. *General Ordinance #4, 1998. Adopted March 4, 1998. Recorded June 8, 1998. (Woodcrafts Company, Inc.)*

Public alley lying between Lots 2 and 3 in Samuel Krieg's First Addition to the Town of North Manchester. *General Ordinance #14, 1998. Adopted November 12, 1998. (Auto Zone, Inc. by Eldon Metzger.)*

Washington Street, between Lots 27, 28 and 37, and that part lying north of said lots, to the south line of Outlot 1, as show on the Plat. *Special Ordinance #3, 2000, adopted May 3, 2000. (Oaklawn Cemetery Association.)*

Sixth Street, west of Washington Street, lying between Lots 41, 42, 43, 44 and Lots 37, 38, 39 and 40, as shown on the Plat.. *Special Ordinance #3, 2000, adopted May 3, 2000. (Oaklawn Cemetery Association.)*

The alley, running north and south, between Lots 38, 39, 42 and 43, as shown on the Plat. *Special Ordinance #3, 2000, adopted May 3, 2000. (Oaklawn Cemetery Association.)*

The alley, running east and west, between Lots 41, 42, 43, 44 and Outlot 1, as shown on the Plat. *Special Ordinance #3, 2000, adopted May 3, 2000. (Oaklawn Cemetery Association.)*

The alley, running north and south on the west side of the Plat, beginning at the south line of Lot 40, if projected west to the west side of the Plat, thence north to the south line of Outlot 1, as shown on the Plat. *Special Ordinance #3, 2000, adopted May 3, 2000. (Oaklawn Cemetery Association.)*

East/west alley, platted between East Street and Ruse Street, lying between Lots 1 through 4 and Lots 20 through 23 in said College Additions; subject, however, to existing and future utility easements within and upon the said vacated alley. *Special Ordinance 2, 2001, adopted May 1, 2002. (Manchester College.)*

The alley running east and west and bordered on the west by Mill Street, on the north by Lots 124, 125, 126 and 127, on the east by Sycamore Street and on the south by Lots 136, 137, 138 and Lot 139, all in the Original Plat to the Town of North Manchester. *General Ordinance 2, 2003, adopted February 6, 2003. (Barbara Joann Hill, George T. Coon and Virginia L. Coon and the Manchester Economic Development Corporation.)*

The alley running north and south, bordered on the east by a vacated alley and Lot 137, on the south by Main Street, on the west by Lot 138, and on the north by a vacated alley between Lots 125 and 126, all in the Original Plat of the Town of North Manchester. *General Ordinance 2, 2003, adopted February 6, 2003. (Barbara Joann Hill, George T. Coon and Virginia L. Coon and the Manchester Economic Development Corporation.)*

The 12 foot east-west alley, bordered on the east by Sycamore Street, on the north by Lot 8 in Henrietta Shanafelt and Kennedy's Addition to the Town of North Manchester, on the west by the north-south alley sought to be vacated and on the south by Lots 4 and 5, in Henrietta Shanafelt's Addition to the Town of North Manchester.

The 12 foot north-south alley, bordered on the east by Lot 8 and 9 in Henrietta Shanafelt and Kennedy's Addition to the Town of North Manchester, on the south by the 12 foot alley

sought to be vacated, on the west by Lot 3 in Henrietta Shanafelt's Addition to the Town of North Manchester, and on the north by Miami Street,.

Miami Street, bordered on the east by Sycamore Street, on the south by Lot 9 in Henrietta Shanafelt and Kennedy's Addition to the Town of North Manchester, on the west by the abandoned railroad right-of-way of the former Philadelphia, Baltimore and Washington Railroad Company and on the north by Lot 10 in Henrietta Shanafelt and Kennedy's Addition to the Town of North Manchester. General Ordinance #3, 2003, *adopted April 2, 2003 (Heckman Bindery, Inc. and Stephen P. Heckman.)*