

CHAPTER 71: PARKING REGULATIONS

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Statutory reference:

Provisions authorizing local regulation of the standing or parking of vehicles, see I.C. 9-21-1-3

STOPPING, STANDING AND PARKING

§ 71.01 PARKING ON TRAVELED PORTION OF ROAD RESTRICTED.

No person shall park or stop a motor vehicle on the traveled portion of any roadway or highway except in compliance with a traffic-control device, or in compliance with the instructions of a law enforcement officer, or in preparation of turning his or her motor vehicle off the traveled portion of the highway or onto another highway, or in case of emergency.

(1981 Code, § 22.12.010) (Ord. 1, passed - -1972; Ord. 132-78, passed - -1978) Penalty, see § 70.99

§ 71.02 PARKING ON SIDE OF ROAD RESTRICTED.

No person shall park a vehicle on the side of the traveled portion of any highway or road, except in a residential area where the paved portion of the road is not less than 26 feet in width, or except in case of emergency; provided, that no person shall be deemed to have violated this provision unless a no-

parking sign or signs have been erected in the immediate vicinity of the violation so as to put the person on notice of the violation, or unless a driver has failed to move a parked vehicle after being advised of the violation by a police officer.

(1981 Code, § 22.12.020) (Ord. 1, passed - -1972; Ord. 132-78, passed - -1978) Penalty, see § 70.99

ACCESSIBLE PARKING

§ 71.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSIBLE PARKING. An area along any public street or alley or an area on any county-owned property or an area in any shopping center of which the owner or lessee has contracted to empower the county to regulate by ordinance the parking of vehicles and the traffic at the shopping center, which areas are restricted exclusively for the use of persons with a disability.

DISABLED PERSON'S VEHICLE. A vehicle which bears a current, valid disabled veteran's registration plate, special registration plate or accessible parking permit, which plates or permit have been issued to a person with a disability.

PERSON WITH A DISABILITY. A person who has been issued a disabled veteran registration plate by this or any other state; a person who has been issued special registration plates bearing the official international wheelchair symbol by this or any other state; and a person who has been issued a handicapped or disabled permit by the City of South Bend or any other city, town, county or municipality within the state.

SHOPPING CENTER. Any store, group of stores, restaurant, retail establishment, sporting facility, professional offices or other business establishment which is open to the general public and which is located within the confines of the county.
(1981 Code, § 22.13.010) (Ord. 15-87, passed - -)

§ 71.16 AUTHORITY TO ESTABLISH.

The County Board of Commissioners, upon the advice and report of the County Highway Engineer, shall have the duty and responsibility of designating those areas within the county which shall, for purposes of this subchapter, be considered designated accessible parking areas.
(1981 Code, § 22.13.020) (Ord. 15-87, passed - -)

§ 71.17 AUTHORITY TO CONTRACT.

Any owner or lessee of a shopping center, as heretofore defined, located within the county may contract with the County Board of Commissioners, pursuant to I.C. 9-21-18, to empower the county to regulate, by ordinance, the parking of vehicles and traffic at the shopping center.
(1981 Code, § 22.13.030) (Ord. 15-87, passed - -)

§ 71.18 DESIGNATION OF ACCESSIBLE PARKING.

Any person or organization, on behalf of any person or persons with a disability, may request the Board of Commissioners to designate a space or spaces for accessible parking. The requests will be referred to the County Highway Engineer for advice and report.
(1981 Code, § 22.13.040) (Ord. 15-87, passed - -)

§ 71.19 SIGNS AND PAINTING.

Whenever the Board of County Commissioners has designated a space for accessible parking, its respective curb, if any, shall be painted blue. Wherever the accessible spaces are designated, a sign shall be installed bearing the words "Handicapped or Disabled Parking" and the official international wheelchair symbol or reasonable facsimile thereof.
(1981 Code, § 22.13.050) (Ord. 15-87, passed - -)

§ 71.20 VIOLATIONS AND FINES.

Any motor vehicle found parking in areas designated for exclusive use of accessible parking which vehicle does not bear a disabled veteran registration plate, a special registration plate or an accessible parking permit, as heretofore defined, shall be fined the amount set out in the Appendix: Schedule of Fines and Fees and the vehicle shall be towed at the owner's expense if found to be in violation longer than one hour. Continuing violations under this section shall constitute a separate offense and be punishable by a separate penalty for each infraction.
(1981 Code, § 22.13.060) (Ord. 15-87, passed - -)

§ 71.21 DISPOSITION OF FINES.

Any and all fines levied and collected pursuant to § 71.20 shall be deposited into the County General Fund.
(1981 Code, § 22.13.070) (Ord. 15-87, passed - -)

