

## **IC 9-21-18**

### Chapter 18. Regulation of Traffic on Private Property

#### **IC 9-21-18-1**

##### **Application of chapter**

Sec. 1. This chapter applies to privately owned real property on which the public is invited to travel for business purposes.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-2**

##### **"Private business property" or "shopping center" defined**

Sec. 2. As used in this chapter, "private business property" or "shopping center" may be defined by ordinance of the unit entering into a contract under this chapter.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-3**

##### **Unit**

Sec. 3. As used in this chapter, "unit" means a county, city, or town.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-4**

##### **Contract to empower unit to regulate parking and traffic by ordinance**

Sec. 4. A unit and the owner or lessee of a shopping center or private business property located within the unit may contract to empower the unit to regulate by ordinance the parking of vehicles and the traffic at the shopping center or private business property, subject to approval by the fiscal body of the unit by ordinance.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-5**

##### **Contracts; provisions**

Sec. 5. A contract entered into under section 4 of this chapter may provide for the following:

- (1) The erection by the unit of the stop signs, flashing signals, or yield signs at specified locations in a parking area and the adoption of appropriate regulations, or the designation of an intersection in the parking area as a stop intersection or as a yield intersection and the ordering of signs or signals at one (1) or more entrances to that intersection.
- (2) The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking areas.
- (3) The regulation of a crossing of a roadway in the parking area by pedestrians.
- (4) The designation of a separate roadway in the parking area for one-way traffic.
- (5) The establishment and regulation of loading zones.

(6) The prohibition, regulation, restriction, or limitation of the stopping, standing, or parking of vehicles in specified areas of the parking area.

(7) The designation of safety zones in the parking area and fire lanes.

(8) The removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area where the vehicles constitute an obstruction to traffic, or where stopping, standing, or parking is prohibited, and for the payment of reasonable charges for the removal and storage by the person who owns or operates the vehicle.

(9) The cost of planning, installation, maintenance, and enforcement of parking and traffic regulations to be paid by the unit, by the property owner or lessee, or for a percentage of that cost to be shared by both the unit and the property owner or lessee.

(10) The installation of parking meters on the shopping center or private business property parking area. The contract may establish whether the expense of installing those parking meters and maintenance of the parking meters is that of the unit or that of the shopping center or private business property owner or lessee, and whether any money obtained from those parking meters belongs to the unit or to the shopping center or private business property owner or lessee.

(11) Additional reasonable regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-6**

##### **Contract period; restrictions on length**

Sec. 6. A contract entered into between a unit and a shopping center or private business property owner under this chapter may not exceed twenty (20) years. A lessee of a shopping center or private business property may not enter into a contract under this chapter for a longer period of time than the length of the lease.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-7**

##### **Recording contract; effect of regulations; posting of notice**

Sec. 7. A contract entered into between a unit and a shopping center or private business property owner or lessee under this chapter shall be recorded with the county recorder in the county in which the unit is located. No regulation made under the contract may take effect until three (3) days after the contract is recorded. Signs shall be posted within the shopping center or private business property not later than three (3) days after the contract is recorded stating that shopping center or private business property parking and traffic

regulations are enforceable by local law enforcement officials.  
*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-8**

##### **Violations of parking and traffic regulations; punishment; adoption**

Sec. 8. The unit may adopt an ordinance providing for punishment of violations of the parking and traffic regulations in effect at a shopping center or private business property under the contract.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-9**

##### **Stop signs installed after July 1, 1990; requirements**

Sec. 9. A stop sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a red background with white letters and a white border.
- (2) The sign must be an octagon.
- (3) The sign must measure at least twenty-four (24) inches wide and twenty-four (24) inches high.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-10**

##### **Yield signs installed after July 1, 1990; requirements**

Sec. 10. A yield sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a red border band and a white interior with the word "yield" in red inside the border band.
- (2) The sign must be a downward pointing equilateral triangle.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-11**

##### **Do not enter signs installed after July 1, 1990; requirements**

Sec. 11. A do not enter sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

- (1) The face of the sign must have a white background with a red circle containing the words "do not enter" in white letters with a horizontal white bar.
- (2) The sign must be a square.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-12**

##### **Wrong way signs installed after July 1, 1990; requirements**

Sec. 12. A wrong way sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a red background with a white border containing the words "wrong way" in white letters.

(2) The sign must be a rectangle.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-13**

##### **Pedestrian crossing signs installed after July 1, 1990; requirements**

Sec. 13. A pedestrian crossing sign that is installed after July 1, 1990, to control the movement of vehicular and pedestrian traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a white background with black legend and a black border.

(2) The sign must be either rectangular or square.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-14**

##### **Owners of property; regulation of property use; powers**

Sec. 14. Except as provided in sections 9 through 13 of this chapter, nothing in this chapter may be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from:

(1) prohibiting the property's use;

(2) requiring other, different, or additional conditions than those specified in this chapter; or

(3) otherwise regulating the property's use as determined best to the owner.

*As added by P.L.2-1991, SEC.9.*

#### **IC 9-21-18-15**

##### **Violations; Class C infraction**

Sec. 15. A person who installs a sign that violates section 9, 10, 11, 12, or 13 of this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.9.*