

TRAFFIC ORDINANCE
Ordinance No. 107

An ordinance regulating the traffic upon the public streets of the Town of Battle Ground, Indiana, and repealing all Ordinances or parts of Ordinances in conflict therewith.

Be it ordained by the Board of Town Trustees of the Town of Battle Ground, Indiana, as follows:

ARTICLE I

Words and Phrases defined

Section 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 meaning respectively ascribed to them in this article.

Subdivision 1.

Vehicles, Traffic, Etc., Defined

Section 2. (a) Vehicle--Every device in, upon, or by which any person or property is or may be transported or drawn upon the highway, except a device moved by human power or used exclusively upon stationary rails or tracks.

(b) Motor Vehicle--Every vehicle which is self propelled.

(c) Authorized Emergency Vehicle--Vehicles of and used by the Fire Eapartment of the Town or used by any peace officer in Battle Ground, including all ambulances, emergency vehicles and all police and fire department vehicles coming into the Town of Battle Ground to vender police, fire or other emergency services to the citizens of the Town.

Section 3. (a) Bicycle--Any foot propelled vehicle irrespective of the number of wheels in contact with the ground.

(b) Motorcycle--Every motor vehicle having a saddle for the use of the rider and designated to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(c) Passenger Bus--A motor vehicle designed and used for mass transportation of persons for hire generally on designated routes.

Section 4. (a) Railroad--A carrier of persons or property upon cars other than street cars, operated upon stationary rails.

(b) Railroad Trains--A steam engine, diesel, electric or other motor, with or without cars coupled thereto,

Section 5. (a) Traffic--Pedestrians, ridden or herded animals, vehicles, or other conveyances either singly or together while using any street for purpose of travel.

Section 6. (a) Right-of-Way--The privilege of the immediate use of the roadway.

Section 7. (a) Stop--When required means cessation of movement.

(b) Stop, Stopping or Standing--When prohibited means any stopping or standing 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.

(c) Park--When prohibited means standing of vehicle, whether occupied or not, otherwise than temporarily for purpose of and while actually engaged in loading or unloading.

(d) Yield--To temporarily slow down or stop for the purpose of giving up the privilege of the immediate use of the roadway.

Section 8. (a) Official Time Standard--Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in the Town.

Subdivision II

Persons, etc., Defined

Section 9. (a) Persona--Every natural person, firm, co- partnership, association, or corporation.

(b) Driver--Every person who drives or is actually in physical control of a vehicle.

(c) Pedestrian--Any person afoot.

Section 10. (a) Police Officer--Police Officer means town marshal, sheriff, deputy sheriffs, state policemen and any other persona vested with police powers to enforce the law or to make arrests.

Subdivision III
Streets and etc., Defined

Section 11. (a) Street or Highway--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 purpose of vehicular travel.

(b) Private Road or Driveway--Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by the other persons.

(c) Roadway--That portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

(d) Sidewalk--That portion of the street between the curb lines or the lateral lines of the roadway and adjacent property lines intended for the use of the pedestrians.

(e) Alley--Every way or place in public ownership and customarily used for vehicular travel, wide enough ot permit only one motor vehicle to travel thereon at any one time.

Section 12. (a) Through Street-Every street or highway or portion thereof at the entrance to which vehicular traffic from intersection streets or highway is required by law to stop before entering or crossing the same and when stop signs are erected as provided by this act.

Section 13. (a) Crosswalk--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 edge of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrians crossings by lines or other markings on the surface.

Section 14. (a) Intersection--That area embraces within the prolongation or connection of the lateral curb lines. or, if none, then the lateral boundary lines of the roadways of the 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.

Section 15. (a) 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.

(b) Passenger Curb Loading Zone--A space apart adjacent to a curb reserved for the exclusive use of vehicles during the loading and unloading of passengers.

Section 16. (a) Official Traffic Control Devices--All signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

(b) Traffic Control--Any device whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

ARTICLE II

Traffic Administration

Section 17. It shall be the duty of the Town Marshal to enforce the street traffic regulations of the Town and the State motor vehicle laws applicable to street traffic in this Town, to make arrests for traffic violations, to investigate accidents and to carry out the duties especially imposed upon him by this ordinance and other ordinances of the Town.

Section 18. (a) Records of Traffic Violations--The Town Marshal shall keep a record of all violations of the traffic ordinance of the Town or of the state vehicle laws of which any person has been charged of an alleged offense, together with a record of the final disposition of all alleged cases.

(b) All such records and reports shall be public record.

Section 19. (a) Traffic accident Reports--The Town Marshall shall maintain a suitable system of filing traffic accident reports, accident reports or cards referring to them shall be filed alphabetically by location. Such report shall be available for the use and information of the town traffic engineer.

Section 20. Drivers File To Be Maintained--The Town Marshal 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.

Section 21. Town Marshal to Submit Annual Report of Traffic Safety--The Town Marshal shall annually prepare a traffic report which shall be filed with the Mayor. Such report shall contain information on traffic matters in this Town as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
- (3) The plans and recommendations of the department for future traffic safety activities.

Section 22. Town Traffic Engineer--(a) The office of Town Traffic Engineer is hereby established. The Town Engineer shall serve as Town Traffic Engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.

(b) It shall be the general duty of the Town Traffic Engineer to determine the installation and maintenance of traffic control devices, to conduct engineering analysis of traffic accidents and devise remedial measures, to conduct engineering investigations of traffic conditions and to co- operate with other Town officials in the development of ways and means to improve traffic conditions, and to carry out additional powers and duties imposed by ordinances of this Town.

ARTICLE III

Enforcement and Obedience to Traffic Regulations

Section 23. Authority of Town Marshal and Volunteer Firemen--The Town Marshal is hereby authorized to direct all traffic by voice, hand or signal in conformity with traffic laws, provided in the event of fire or other emergency, or to expedite traffic movement and to safeguard pedestrians, he may direct traffic as conditions may require notwithstanding the provisions of traffic laws.

Volunteer firemen and other peace officers and firemen from Battle Ground or elsewhere, when at the scene of a fire in the Town, may assist the marshal in directing traffic in the immediate vicinity.

Section 24. Required Obedience to Traffic Ordinance--It is a misdemeanor for any person to do any act forbidden or fail to perform any act required by this ordinance.

Section 25. Obedience to Town Marshal. Peace Officers and Firemen--No person shall willfully fail or refuse to comply with any lawful order of the Town Marshal, any Peace Officer or Firemen in the discharge of his duty.

Section 26. Persons Propelling Push Carts or Riding Animals To Obey Traffic Regulations--Every person propelling a push cart or riding an animal upon a roadway, and every person driving an 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 nature can have no application.

Section 27. Public Employees to Obey Traffic Ordinance 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 Town and shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted by this ordinance or by state statute.

Section 28. Exemptions to Authorized Motor Vehicles--(a) The provisions of this ordinance regulating the operation, parking and standing of vehicles shall apply to authorized emergency vehicles, as defined in this ordinance, except as follows:

A driver when operating such vehicle in an emergency when authorized by a police officer may:

1. Park or stand notwithstanding the provisions of this ordinance.
2. Proceed past a red light or stop light or stop signal but only after slowing down as may be necessary for safe operation.
3. Exceed the prima facie speed limits as long as he does not endanger life or property.
4. Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(b) Those exemptions hereinbefore granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver sounds a siren, bell or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red or blue lamp visible from the front as a warning to others.

Section 29. Operation of Vehicles and Passenger Buses on Approach of Authorized Emergency Vehicles--(2) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting

red or blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren. 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 authorized by a police officer.

Section 30. Immediate Report of Accidents--(a) The driver or any vehicle involved in an accident within the limits of this Town, resulting in the death or injury to any person or damage to any property shall immediately, or as soon as possible, by the quickest means of communication, give notice of such accident to the Town Marshal.

(b) The Town Marshal of this Town may require any driver of a vehicle involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient.

ARTICLE IV

TRAFFIC CONTROL DEVICES

Section 31. Authority to install Traffic Control Devices-- The Town Traffic Engineer shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the town to make effective and provisions of said ordinances, and may place and maintain such additional traffic control devices as he may deem necessary to regulate town traffic under the traffic ordinances of the town or under state law, or to guide or warn traffic.

Section 32. 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. All signs and signals required hereunder for a particular purpose shall so far as practical be uniform as to type and location throughout the town. 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 33. Obedience to Official Traffic Control Devices-- The driver of any vehicle and the operator of any passenger bus shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic ordinance of this town; unless otherwise directed by a Town Marshal subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

Section 34. Display of Unauthorized Signs, Signals, or Markings--(a) No person shall place, maintain, or display upon or in view of any highway any unauthorized signs, signal, marking, or device which purports to be or is an imitation of or simulates or resembles an official traffic control 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, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal hearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highway of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(b) Every such prohibited signs, or marking is hereby declared to be a public nuisance and the authority have jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Section 35. Interference with 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 36. Authority to Establish Play in the Streets--The town traffic engineer has 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 37. 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 residence 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 38. Traffic Engineer to Designate Crosswalks, Establish Safety Zones, and Mark Traffic Lanes--The Town Traffic Engineer is hereby authorized:

(1) To designate and maintain, by appropriate device, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(3) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with traffic ordinances of this town.

ARTICLE V

Speed Regulations

Section 39. State Speed Laws Applicable--The state traffic laws regulating the speed of traffic shall be applicable upon all streets within this town, except as this ordinance, hereby declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be prima facie 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.

Section 40. Repealed by [Ordinance No. 175](#), adopted 9/8/1980.
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Section 40, before repeal:

Section 40. Decrease of State Speed in Certain Areas.--It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State Law on certain town streets if greater than is reasonable or safe under conditions found to exist and it is hereby declared that the prima facie speed limit on the following streets shall be not more than twenty (20) miles per hour: North Street; Railroad Street from South-east limit of Town to North Street; Main Street from North Street to North-east limit of Town and not more than 25 miles per hour on all other streets of the Town; the speed in any alley or other roadway shall be not more than 15 miles per hour.

Section 41. Speed When Pulling Trailers.--It is hereby determined upon the basis of an engineering and traffic investigation that the speed for motor vehicles when pulling a non-motorized vehicle on any street within the town shall be not more than twenty (20) miles per hour.

ARTICLE VI

Turning Movements

Section 42. The driver of a vehicle intending to turn at an intersection shall do as follows:

(a) Both the approach for a right turn and a right turn shall be made as practical to the right-hand curb or edge of the roadway.

(b) Approach for a left turn shall be made in the portion of the right half of the roadway nearest the center line thereof, 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.

Section 43. Authority to Place and Obedience to Turning Markers--(a) The Town Traffic Engineer 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.

(b) When authorized markers, buttons, or other indications are placed within an intersection, indicating the course to be traveled by a vehicle turning thereat, no driver of a vehicle shall disobey the directions of such indications.

Section 44. Authority to Place Restricted Turn Signs--The Town Traffic Engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make right, left, or U turns 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 sign, or they may be removed when such turns are permitted.

Section 45. Obedience to No-Turn Signs--Whenever authorized signs are erected indicating that no right turn, left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

ARTICLE VII

One-way Streets and Alleys

Section 46. Whenever any ordinance of this town designates any one way streets or alleys, the Town Traffic Engineer shall place and maintain signs giving notice thereof, and no such regulations 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 47. One-Way Streets and Alleys--Upon those streets and parts of streets and in those alleys described in Schedule 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.

ARTICLE VIII

Special Stop or Yield Signs Required

Section 48. Through Streets Designated--Those streets and parts of streets described in the schedule attached hereto and made part hereof are hereby declared to be through streets for the purpose of this section.

Section 49. Authority to Erect Signs--Whenever any ordinance of this town designates and describes a through street, it shall be the duty of the Town Traffic Engineer to place and maintain a stop sign or a yield sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by any ordinance of this town.

Section 50. Intersection Where Stop or Yield Signs Required.--The Town Traffic Engineer is hereby authorized to determine and designate intersections where particular hazards exist upon other than through streets and determine whether vehicles shall stop or yield at one or more entrances to any such intersection and shall erect a stop or yield sign at every such place where in his opinion such is required.

Section 51. Signs to Bear the Word "STOP" or "YIELD".-- Every sign erected pursuant to this article shall bear the word "STOP" or "YIELD" in letters not less than six (6) inches in height. Every sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection, or, if none, at the nearest line of the roadway.

Section 52. Vehicles and Passenger Buses to Stop or Yield.- -When stop or yield signs are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle and every operator of a passenger bus shall stop such vehicle or yield the right-of-way at such sign, except when directed to proceed by a police officer or traffic-control signal.

Section 53. Emerging from Alley or Private Driveway--The driver of a vehicle 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, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

Section 54. Obedience to Signal Indicating Approach of Railroad Train--(a) 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 not

proceed over said crossing until he can do so safely. The foregoing requirement shall apply when:

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.

2. A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach of passage of a railroad train.

3. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No persons shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

ARTICLE IX

Miscellaneous Driving Rules

Section 55. 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 vehicles within the block where fire apparatus has stopped in answer to a fire alarm.

Section 56. Crossing Fire Hose.--No passenger bus or 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 57. Driving Through Funeral or Other Procession.-- No driver of a vehicle or operator of a passenger bus 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.

Section 58. 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 59. 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.

Section 60. When Permits Required for Parades and Processions. No procession, or parade containing two hundred (200) or more persons or fifty (50)

or more vehicles, excepting the forces of the United States Army or Navy, the military forces of this State, and the forces of the Police and Fire Departments, shall occupy, march, or proceed along any street except in accordance with a permit issued by the Town Marshal and such other regulations as are set forth herein which may apply.

Section 61. Vehicles 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 62. 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 63. Riding On Motorcycles--A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto or carry any other person, nor shall any other person ride upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator.

Section 64. Clinging to Moving Vehicles.--Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to nay moving vehicle upon any roadway.

Section 65. Restricted Access--No person shall drive a vehicle onto or from any limited access roadway except at such entrances and exits as are established by public authority.

ARTICLE X

Pedestrian's Rights and Duties

Section 66. Pedestrian's Right-of-Way in Crosswalk.--(a) When traffic-control signals are not in place 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 crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is travelling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but 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 the driver to yield.

(b) Whenever any vehicle is stopped at a marked crosswalk 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 67. 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 crosswalk.

Section 68. When Pedestrian Shall Yield.--(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall yield the right-of-way to all vehicles up on the roadway.

Section 69. Pedestrians Walking Along Roadways.--(a) Where sidewalks are provided it shall be unlawful for nay pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided any pedestrial walking along and upon a highway shall when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(c) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

Section 70. 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 XI

Regulations for Bicycles

Section 71. Effect of Regulations--(a) It is a misdemeanor for any person to do any act forbidden, or fail to perform an act required in this article.

(b) he parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

(c) These regulations applicable to bicycles is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Section 72. Traffic Laws Apply to Persons Riding Bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights, and shall be

subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.

Section 73. Obedience to Traffic-Control Devices--(a) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

Section 74. Riding On Roadways and Bicycle Paths--(a) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall ride only in single file except on paths or a part of roadway set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and not use the roadway.

Section 75. Speed--No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Section 76. Emerging From Alley or Driveway.--The operator of a bicycle emerging from an alley, driveway, or building shall upon approaching a sidewalk or sidewalk area extending across the alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

Section 77. Clinging to Vehicles.--No person riding upon any bicycle shall attach the same or himself to any passenger bus or vehicle upon the roadway.

Section 78. Carrying Articles.--No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars

Section 79. Parking.--No person shall park a bicycle upon a street other than upon the roadway against the curb, or upon the sidewalk in a rack to support the bicycle, or against a building, or at the curb in such a manner as to afford the least obstruction to pedestrian traffic.

Section 80. Riding on Sidewalks--(a) No person shall ride a bicycle upon the sidewalk within the central business district.

(b) Whenever any person is riding upon a sidewalk such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Section 81. Lamps and Other Equipment on Bicycles.--(A) Every bicycle when in use at night time shall be equipped with a lamp on the front which shall emit a white light visible for a distance of at least 500 feet to the front and with a red reflector on the rear, of the type which shall be visible from all distances from 50' (feet) to 300 feet to the rear when directly in front of the upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the reflector.

(b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.

(c) Every bicycle shall be equipped with a brake which will enable the operator to make the brake wheel skid on dry, level, clean pavement.

ARTICLE XII

Method of Parking

Section 82. Standing or Parking Close to the Curb.--No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right hand wheels of the vehicle within twelve inches of the curb or edge of the roadway except as otherwise provided in this article.

Section 83. Signs or Markings Indicating Angle Parking.-- (a) The Town Traffic Engineer shall determine upon what street angle parking shall be permitted and shall mark or sign such streets.

Section 84. Obedience to Angle Parking Signs or Markings.-- Upon those streets that have been signed or marked by the Town Traffic Engineer for angle

parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of roadway indicated by such signs or markings.

ARTICLE XIII

STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED AREAS

Section 85. Stopping, Standing, or Parking Prohibited--No Signs Required.--

(a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with the law or in direction of a police officer or traffic control device, in any of the following places:

1. On a sidewalk
2. In front of a public or private driveway
3. Within an intersection
4. Within fifteen feet of a fire hydrant
5. On a cross walk
6. Within twenty feet of a cross walk at an intersection
7. Within 50 feet of the nearest rail of a railroad crossing
8. Alongside or opposite any street, excavation or obstruction when stopping, standing, or parking would obstruct traffic
9. On the roadway side of any vehicle stopped or parked at the edge or curb of the street
10. Upon any bridge
11. At any place where official signs prohibit parking or stopping.

Section 86. Parking Not to Obstruct Traffic.--No person shall park any vehicle upon the street, or in an alley in such a manner or under conditions as would leave available less than 10 feet of the width of the roadway for free movement of traffic.

Section 87. Parking for Certain Purposes Prohibited. No person shall park a vehicle upon the street or roadway for the purpose of:

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

Section 88. Vehicles Out of Commission or Unlicensed. No person shall park a vehicle out of commission or any unlicensed motor vehicle or trailer, on any street or highway for a period longer than five (5) days.

Section 89. Parking Prohibited on Narrow Streets--(a) The Town Traffic Engineer is hereby authorized to erect signs indicating no parking upon either or

both sides of the streets when the width of the street and the volume of traffic after determination upon the basis of an engineering and traffic investigation requires such limitation.

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

Section 90. No Stopping, Standing or Parking Near Hazardous Places--(a) Town Traffic Engineer 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.

(b) 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 91. Lights on Parked Commercial Vehicles.--Freight carrying vehicles of one ton capacity or more shall display, lighted clearance lights, tail lights and dimmed headlights whenever parked on any streets of this city between the hours of sundown and sunrise.

ARTICLE XIV

Procedure on Arrest

Section 92. Forms and Notices of Arrest or Appearances. The Town shall provide in triplicate serially numbered forms for notifying violators to appear and answer to charges of violating traffic laws and ordinances. Such forms shall be issued to and receipted for by the town marshal or other persons acting for him.

Section 93. Procedure Upon Arrest--Except when authorized or directed under the state law to immediately take a person arrested for a violation of any traffic law before the Town Judge, Town Marshal, upon making an arrest for violation of the state traffic ordinances of this town shall take the name, address and operator's license number of alleged violator and the registered number of the motor vehicle involved and shall issue to him in writing on a form provided by the town, a notice to answer to the charge against him at a place and at least five (5) days after the arrest, to be specified in the notice. The town marshal upon receiving the written promise of the alleged violator to answer as specified in the notice, shall release such persons from custody; provided however if there be no town judge, the Town Marshal shall cause the person arrested to appear in any court in Tippecanoe County having jurisdiction in criminal cases.

Section 94. Failure to Obey Notice or Summons--Any person who violates his written promise to appear given to a town marshal upon arrest for any traffic violation is guilty of a misdemeanor regardless of the disposition of the charge of which he was originally arrested.

Section 95. Notice on Illegally Parked Vehicles--Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this town or by state law, the town marshal finding such vehicle shall take its registration number and may take any other information displayed on the vehicle that may identify its user and shall conspicuously affix to such vehicle a notice in writing on a form provided by the town, for the driver to answer to the charge specified in the notice. The town marshal shall send one copy of such notice to the chief of traffic division and one copy to the traffic violations bureau.

Section 96. Failure to Comply With Notice 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 notice affixed to such motor vehicle within a period of five (5) days, the town marshal shall send to the owner of the motor vehicle to which the notice was affixed, a letter informing him of the violations and warning him that in the event such letter is disregarded for a period of five (5) days a complaint will be filed and warrant of arrest issued.

Section 97. Presumption in Reference to Illegal Parking. (a) In any prosecution charging a violation of any law or regulation governing the standing or parking of a 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. Such presumption may be rebutted by any proper admissible evidence of probative effect.

(b) The foregoing stated presumption shall apply only when the procedure as prescribed in Section 95 and 96 has been followed.

Section 98. When Complaint to be Issued. In the event any person fails to comply with a notice given to such person or attached to vehicle or fails to make appearance pursuant to a summons directing an appearance in the town court or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the town marshal shall forthwith have a complaint entered against such person and secure and issue a warrant for his arrest.

Section 99. Authority to Impound Vehicles--(2) The town marshal hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, under the circumstances hereinafter enumerated:

1. When any vehicle is left unattended upon any bridge, viaduct, or causeway, where such vehicles constitute an obstruction to traffic.

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.

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.

(b) Whenever the Town Marshal removes a vehicle from a street as authorized in this section and the town marshal knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, town marshal shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reason 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.

Section 100. 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 \$500.00 or by imprisonment for not more than 180 days or by both such fine and imprisonment. Section 101. 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.

SCHEDULE OF DESIGNATED STREETS AND LOCATION OF SIGNALS REFERRED TO IN ORDINANCE

Section A. One Way Streets.

All vehicular traffic shall be south-east bound only for the Monon Railroad Crossing at Railroad Street and Jewett Street.

Section B. Parking.

Vertical parking only shall be permitted on the South side of North Street from Railroad Street to Winan Street.

Section C. Preferential Streets.

In accordance with Sections 48, 49 and 50, and when signs are erected giving notice thereof, drivers of vehicles shall STOP or YIELD as may be required by the posted signs at every intersection before entering any of the following streets:

Main Street

North Street

Jewett Street from Winan St. to Prophet St.

Winan Street to Prophet St.

College St. from Jewett St. to Prophet St.

West Street to Prophet St.

Railroad St. from North St. to North limit of Town.

Railroad St. from North Street to South limit of Town.

Jefferson St. from Main St. to North limit of Town.

Liberty St. from Main St. to Sherman St.

Tippecanoe St. from Main St. to Sherman St.

Sherman St. from Jefferson to Main St.

Section D. "U" Turns

No "U" turns shall be made on North Street, Main Street, Railroad Street and Liberty Street.

Section E.

No vehicle, motor or otherwise, shall be parked within twenty (20) feet from any fire hydrant.

Section F. Traffic Control Signals.

In accordance with Section 31, traffic control signals such as are determined necessary by the Town Engineer are approved at the following intersections and places:

On Main St. East of Jewett Street

On Jefferson St. at Main St.

On Tippecanoe St. at Main St.

On Liberty St. at Main St.

On Sherman St. at Main St.
on Liberty St. at Sherman St.
On Tippecanoe St. at Sherman St.
On Sherman St. at Jefferson St.
On High School Ave. at Liberty St.
On High School Ave. at Sherman St.
On Railroad St. and South Side of North St.
On Railroad St. and North Side of North St.
On Winans and North Side of North St.
On Tipton St. at Railroad St.
On Prophet St. at Railroad St.
On Winans St. at Prophet St.
On College St. at Prophet St.
On West St. at Prophet St.
On Jewett St. at Prophet St.
On West St. at Jewett St.
On Railroad St. at Jefferson St.
On High School Ave. at Jefferson St.
On High School Ave. at Tippecanoe St.
On College St., North and South on Jewett St.
On Jewett Street, East and West of Winan St.
On Tipton St. East and West of Winans St.
On Tipton St., East and West of College St.
On Tipton St., East of West Street

SECTION G: SCHEDULE OF DESIGNATED STREETS AND LOCATION OF SIGNALS

Liberty Street shall be a public thoroughfare from Main Street to Sherman Street without any limitations or restrictions on the public access to said street.

(Replaced by [Ordinance # 177-B](#), adopted 11/3/1980.)

{ *view archive* }

Section G, before repeal:

Section G.

Traffic signals are approved for Liberty Street from Main to Sherman Street for the purpose of closing said street for one-half hour before classes commence at Battle Ground High School, one half-hour after said school classes and for the recess periods and all other periods of supervised school activities making it advisable to close said street and it is a violation of this traffic ordinance to drive or operate a motor vehicle on said street contrary to any sign or posted signal.

SECTION H: SEVERABILITY CLAUSE

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not effect the remaining parts of this ordinance.

(Added by [Ordinance # 177-B](#), adopted 11/3/1980.)

ADOPTED THIS 18th Day of May, 1962.

John D. Gerhart

President of Town Board

ATTEST:

Jean Smith

Clerk-Treasurer