

ORDINANCE NO. 2019- _____

**AN ORDINANCE OF THE LONG BEACH TOWN COUNCIL
AMENDING TITLE VII, CHAPTER 72 OF THE TOWN OF LONG BEACH, INDIANA**

WHEREAS, the Long Beach Town Council previously adopted one or more ordinances to regulate and manage parking in public places throughout the Town, which are set forth in Title VII, Chapter 72;

WHEREAS, the Town Council has reviewed and now desires to make amendments to Chapter 72 in order to more thoroughly and appropriately provide for the health, safety, and welfare of the Town's residents as well as the general public,

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Long Beach Town Council that:

1. Title VII, Chapter 72 shall be amended and restated as follows:

PARKING GENERALLY

§72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING

(A) It shall be unlawful for any person to leave any vehicle or any other thing that may be a nuisance, obstruction, or hindrance in or on any Roadway, alley, or sidewalk within the municipality either during the day or night.

(B) it shall be unlawful for any person to stop or park any vehicle on the roadway side of any other vehicle stopped or parked at the edge or curb of a street.

(C) It shall be unlawful for any person to park any vehicle on the Roadway so that any portion of the vehicle projects into the Roadway.

Penalty, see § 70.99

§72.02 MANNER OF PARKING

(A) Where parallel parking is allowed and there is no curb stone, the entire left (driver's) side of the vehicle shall be off the Roadway.

(B) No vehicle shall be parked in the Roadway on any street except that wagons and trucks may do so when loading and unloading provided that such loading and unloading and delivery of property and material shall not consume more than 30 minutes. Such parking of trucks or wagons is prohibited at all times and on all streets in the Town where any truck or wagon so parked interferes with the use of the roadway of moving vehicles or occupies road space exceeding one lane. It shall be unlawful to block the Roadway.

(C) The chief police officer may establish diagonal parking at certain places, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. However, diagonal parking shall not be established where the roadway space required therefore, would be within ten feet of the center line of any street. The chief police officer shall designate such places by suitable signs, and shall indicate by markings on the pavement the required angle and the width of the roadway space within which such vehicle shall park.

(D) It shall be unlawful for the operator of any vehicle to so park such vehicle that any part thereof shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.

(E) Loading and unloading of beach equipment shall occur only at Town Bus Stops (designated by signage) or in areas designated by chief police officer. It shall be unlawful to park a vehicle at Town Bus Stops for a period exceeding ten minutes.

Penalty, see '§ 70.99

§72.03 LIMITATIONS OF STOPPING AND PARKING

It shall be unlawful for the operator of any vehicle to stop or park such vehicle except in a case of real emergency or in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time in the following places:

(A) On where vehicles stand in any manner other than as specified in §72.02.

(B) Within an intersection.

(C) On a sidewalk.

(D) Within four feet of a public or private driveway.

(E) Within eight feet of a fire hydrant.

(F) Within a crosswalk.

(G) Alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic.

(H) On that portion of public property located between the sidewalk and the curb-line of the street.

(I) No vehicle or vehicle trailer combination of greater than twenty-two feet (22') shall be parked in the Public Way (this includes the Roadway and the Town Right of Way).

Penalty, see § 70.99

§72.031 RESIDENT AND PROPERTY OWNER PARKING

Residents, property owners, and their guests are permitted to park in the Town Right-of-Way between the Roadway and the homeowners property line that is immediately adjacent to their own property. Vehicles may not be parked within twenty feet (20') of an intersection of a Roadway or Alley. All others are permitted to park only in areas designated by signs erected by chief police officer. Vehicles as defined in Section 154.113 (any truck including tractors, tractor and trailer combinations, dump trucks, flatbed trucks, stake-bed trucks, vans, strep-vans, and any other truck vehicle except automobiles, sport utility vehicles, single axle pickup trucks and delivery vans) of the Long Beach Zoning Code are prohibited as well as those in §72.13 of this Title.

(A) Any vehicle parked in violation of this Chapter is hereby declared to constitute a nuisance. That nuisance may be abated by the removal and impoundment of the vehicle by the Police Department.

(B) The vehicle(s) shall be released to the owner thereof upon payment of storage and towing costs, if any, and other fines, penalties or costs as may be imposed by law.

Penalty, see § 70.99

§72.04 PROHIBITIONS AND PARKING ALLOWED ON DESIGNATED STREETS

(A) The provisions of this section allowing or prohibiting the stopping and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control devices.

(B) The provisions of this section imposing a time limit on parking shall not relieve any person from his duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times.

(C) When a curb has been painted in compliance with the provisions of division (E) below, no person shall park a vehicle at any time at or adjacent to any curb so marked.

(D) When signs are erected in compliance with the provisions of division (E) below, in each block giving notice thereof, no person shall park a vehicle between the hours specified by official signs on any day on any street so marked.

(E) (1) The chief police officer shall determine on what streets or portion thereof parking shall be permitted. It shall be the duty of the chief police officer to erect appropriate signs giving notice thereof. However, in lieu of erecting such signs or in conjunction therewith,

the chief police officer may cause the face and top of a curb or curbs at or adjacent to which parking is prohibited at all times to be painted a solid yellow color.

(2) No such regulations or restrictions shall be effective unless the signs have been erected and are in place or the curbs are painted yellow at the time of any alleged offense, except in the case of those parking restrictions which by their very nature would not require such signs and markings.

Penalty, see §70.99

§72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING

The chief police officer is authorized to designate daily street cleaning areas and he/she shall provide suitable signs and markings on the street to be cleaned, restricting parking on that particular day. It shall be unlawful for the operator of any vehicle to stop on any street so designated.

Penalty, see §70.99

§72.06 NON-RESIDENT PARKING

It shall be unlawful for non-residents to park any vehicle on any of the Public Ways of the municipality, unless they are a permitted guest of a property owner or resident immediately adjacent to where they are parked provided they are not parked in the Roadway.

Penalty, see §70.99

Cross-reference:

Removal of abandoned vehicles, see Ch. 95

§72.07 PARKING ON PARADE ROUTE

(A) The chief police officer is authorized, whenever in his judgement it is necessary, to prohibit or restrict the parking of vehicles along a Public Way or part thereof constituting a part of the route of a parade or procession, to erect temporary traffic signs to that effect, and to prohibit and prevent such parking.

(B) It shall be unlawful to park or leave unattended any vehicle in violation of such signs or directions.

Penalty, see §70.99

Cross-reference:

Parades, see §§71.20-71.31

§72.08 PARKING ON OFF-STREET FACILITY

It shall be unlawful for the driver of a motor vehicle to park or abandon the vehicle or drive on or otherwise trespass on another's property, or on an area developed as an off-street

parking facility, without the consent of the owner, lessee, or person in charge of any such property or facility. If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of the provisions of this section, a warrant may be obtained by the owner, lessee, or person in charge of the property or facility, and the Police Department, on written complaint of the owner, lessee, or person in charge, shall remove the vehicle or cause it to be removed.

Penalty, see §70.99

§72.09 OWNER RESPONSIBILITY

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

Penalty, see §70.99

§72.10 PARKING IN PARKS

It shall be unlawful for any person to park any motor vehicle in or on any section of any public park, playground, play lot, or tot lot within the municipality not designed as a parking area. The chief police officer may authorize parking on Town approved festival days and special occasions.

Penalty, see §70.99

§72.11 DISPLAY OF PARKED VEHICLE FOR SALE

It shall be unlawful to park a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made on any Public Way.

Penalty, see § 70.99

§72.12 REGULATING STORAGE OR PARKING OF MOBILE HOMES AND CAMPERS

(A) Parking or storing a mobile home, camper, trailer, jet ski, snowmobile, or boat in or on a property owner's front or side yard(s) and/or driveway, on a Public Way, or on any other property owned by the Town in excess of forty-eight (48) hours is strictly prohibited.

(B) (1) Any member of the Police Department is authorized to issue a written demand to the owner of any mobile home, camper, trailer, jet ski, snowmobile, or boat stored on public property described in division (A) above in the town, notifying such person to remove such vehicle from the property of the town.

(2) Upon the failure or refusal of such person to remove such vehicle, the Police Department shall impound mobile home, camper, trailer, jet ski, snowmobile, or boat and cause it to be removed and impounded in a location to be designated by the chief police officer or his designee. The owner or his authorized agent of any mobile home, camper, trailer, jet ski, snowmobile, or boat so removed and so impounded may appear and claim such vehicle upon payment of all towing and storage fees.

(3) In the event such owner does not reclaim such mobile home, camper trailer, jet ski, snowmobile, or boat by paying all towing and storage fees within 30 days of removal, such vehicle will be sold at public auction by the town. Any money received over the expenses of such removal, storage and any costs of sale, shall be returned to the owner.

(C) The powers given to the Police Department herein are intended in no way to abridge or void existing authority given to any other department of the town by ordinances now in effect.

Penalty, see §70.99.

**§72.13 USE AND CONTROL OF THE LONG BEACH TOWN CENTER
NORTH PARKING LOT AND THE PARKING LOT AT MELROSE PARK**

(A) The Town Center North Parking Lot and Melrose Park Parking Lot shall be available for parking by residents of the Town of Long Beach, Indiana and their guests.

(B) All vehicles parked in the Long Beach Town Center North Parking Lot and Melrose Park Parking lot shall be required to have a permit issued by the Long Beach Town Marshall's Office. Residents of the Town can obtain up to four parking permits which can be used by the residents or their guests. Upon application for parking permits, the resident must provide their name, Long Beach address and phone number. Application for parking permits must be made annually. Residents can obtain special daily permits for their guests for special occasions with the approval of the Town Marshal's Office.

No permits shall be required for parking by Town employees, members of Town Council, Committee or Commission Members, members of the Long Beach Police and Volunteer Fire Departments and members of the public using said lot for purposes of attending Town meetings and functions.

(C) There may be designated four (4) spaces in the Town Center North Parking Lot for use by patrons of businesses in the vicinity of the Town Center North Parking Lot and said use shall not require a parking permit.

(D) There shall be designated two (2) spaces for parking by persons who are handicapped or who have handicap hang tags and/or license plates so designating and said use shall not require a parking permit.

(E) The Town Center North Parking Lot shall be open between 6:00 am and 11:00 pm daily. No parking beyond 11:00 pm shall be permitted unless approved by the Chief Marshal or his designee.

(F) Any vehicle in the Long Beach Town Center North Parking Lot or Melrose Park Parking Lot not parked in accordance with this Section is subject to being towed from the lot at the owner's expense and shall also be subject to the penalty provisions of Section 70.99 of the Long Beach Town Code.

ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this 12th day of August, 2019.

LONG BEACH TOWN COUNCIL

By:

Bob LeMay, President

Nicholas Meyer, Vice-President

Peter Byvoets, Member

Jane Neulieb, Member

Joy Schmitt, Member

ATTEST:

Bill DeFuniak, Clerk-Treasurer