

ORDINANCE NO. 96-14-CM

**AN ORDINANCE PROHIBITING UNAUTHORIZED
PARKING ON PRIVATE AND PUBLIC PROPERTY,
PROVIDING FOR A FINE FOR SUCH,
AND AUTHORIZING TOWING OF VEHICLES VIOLATING ORDINANCE.**

WHEREAS, the Indiana General Assembly, pursuant to I.C. 36-1-3-1 et. seq. has stated that it is policy of the State of Indiana to grant counties the power that they need for the effective operation of government as to local affairs; and

WHEREAS, a problem has arisen in the areas of Tippecanoe County outside the incorporated cities and towns, with people parking vehicles on private property without permission of those in charge of the property, which interferes with the use of such real estate by the owners and tenants of the real estate; and

WHEREAS, a problem also has arisen with people leaving unattended vehicles in no parking areas, on bridges, on narrow roadways, near fire hydrants, where they block traffic signs and vision of people using the county highways, and other places where unattended vehicles constitute hazards to people using the county highways; and

WHEREAS, the Sheriff has no effective method of preventing such unauthorized parking and desires that an ordinance be adopted to grant the sheriff power to remove and impound such vehicles and fine the offending owners; and

WHEREAS, the adoption of such ordinance would assist the county in the effective operation of county government on behalf of the citizens of Tippecanoe County.

Now, Therefore, **BE IT ENACTED BY THE BOARD OF COMMISSIONERS;**

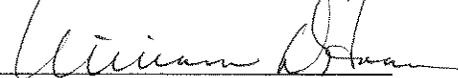
- (1) Private Property. Private property is defined as any property that is not a dedicated public right-of-way.
- (2) Unauthorized Parking Prohibited. It is unlawful for any person to park any motor vehicle, house trailer, one, two or three wheel trailers, tractor trailer or any other type of motorized or nonmotorized conveyance ordinarily pulled or attached to a motor vehicle, on any private property without the express or implied consent or authorization of the owner, holder, occupant, lessee, agent or trustee of such property. A complaint for the violation of this section shall be made by the owner, holder, occupant, lessee, agent or trustee of such property to the Tippecanoe County Sheriff's Department.
- (3) Parking on Public Roadways and Other Public Property Where Such Creates a Hazard Prohibited. It is unlawful for any person to park any motor vehicle, house trailer, one, two or three wheel trailers, tractor trailer or any other type of motorized or non-motorized conveyance ordinarily pulled or attached to a motor vehicle on any public highway or other public property where such parking constitutes a hazard or danger to the public using such highway or other public property. This includes areas where parking is prohibited by signs, on bridges, on the traveled portion of roadways, near fire hydrants, where they block traffic signs from the view of motorists using the highway, where they block the view of oncoming traffic, and any other places where the parked vehicle interferes with traffic on the highway or constitutes a hazard or creates a dangerous condition. A complaint for the violation of this section may be made by any person seeing such violation to the Tippecanoe County Sheriff's Department.
- (4) Fine for Violation of Ordinance. Any violation of this Ordinance shall be punishable by twenty-five-dollar fine for each offense. Each day shall constitute a separate violation of the Ordinance.

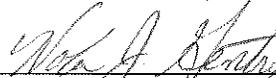
- (5) Complaints. A complaint for violation of this Ordinance shall be made on the form prescribed by the Tippecanoe county Sheriff and signed by the complainant. The vehicle shall be ticketed for a violation of this Ordinance.
- (6) Towing. If, in the opinion of the investigating officer, the illegal parking of the vehicle is causing an emergency situation by preventing proper ingress or egress of any foot or vehicular traffic from a parking lot or is preventing free movement of traffic on the public roadway or private property, or the record shows that the vehicle has had prior citations for violations of this Ordinance, the investigating officer may direct the vehicle to be removed immediately.
- (7) Towing Illegally Parked Vehicles on Business Property. The investigating officer may direct the vehicle to be removed immediately if: (i) the illegally parked vehicle is in a parking lot used for retail establishments, professional offices, a house of worship or a public building and (ii) all vehicular entrances to the parking lot have signs posed prohibiting such unauthorized parking, in a form prescribed by the Tippecanoe County Highway Department.
- (8) Towing Illegally Parked for Over Four Hours After Ticketed. The investigating officer may also direct the removal of the vehicle if the vehicle remains illegally parked for more than four (4) hours after the vehicle was ticketed for parking in violation of this Ordinance.
- (9) Removal of Illegally Parked Vehicle. An investigating officer who directs the removal of an illegally parked vehicle under this Ordinance shall arrange for the same to be removed by a reputable towing company and placed in a reputable storage or parking facility.

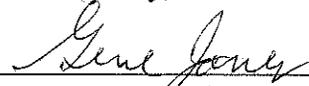
This Ordinance shall be **effective** on the **1st** day of **May, 1996.**

PASSED AND ADOPTED this **20th** day of **February, 1996.**

BOARD OF COMMISSIONERS OF THE
COUNTY OF TIPPECANOE, INDIANA


William D. Haan, President


Nola J. Gentry, Vice President


Gene Jones, Member

Attest: 
Betty J. Michael, Auditor

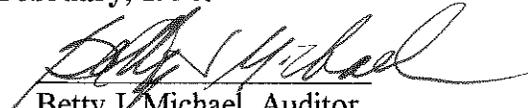
VOTE FIRST READING:

Commissioner Haan	YES
Commissioner Gentry	YES
Commissioner Jones	YES

VOTE SECOND READING:

Commissioner Haan	YES
Commissioner Gentry	YES
Commissioner Jones	YES

Betty J. Michael hereby certifies that the above ordinance was **passed** **unanimously** by a roll call vote of **3-0** on both **first reading** on the **5th** day of **February, 1996**, and on **second reading** on the **20th** day of **February, 1996**.



Betty J. Michael, Auditor
of Tippecanoe County, Indiana