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CH4 - TRAFFIC AND VEHICLES

CH4 4 .1 - Municipal Highway System

The Municipal Highway System is established. It consists of all highways contained in the volume titled "Lapel Road Inventory". Two (2) copies of this volume are on file in the office of the Clerk-Treasurer for public inspection and are incorporated in this section by reference. On or before November 1 of each year, the Board shall compile a list of those highways accepted or vacated by the Town during the past year. A copy of this list shall be sent to the Madison County Council of Governments to assist the Council in promptly obtaining highway assistance funds for the Town.

Further Information

'82 Code, Ord. No. 9-1982

Date Passed: 12/22/1982

CH4 4 .2 - Traffic Accident Report Fees

The Board fixes a fee of Three Dollars (\$3.00) for furnishing copies of accident reports.

Further Information

'82 Code, Ord. No. 9-1982

Date Passed: 12/22/1982

CH4 4 .3 - New Ordinance

- a. The Board, acting within the reasonable exercise of its police power, adopts the following regulations governing certain roads and streets under its jurisdiction:
- b. All highways listed below are designated as one-way highways. All vehicles thereon shall be moved in one (1) specific direction, as indicated by signs posted upon or at the entrance to these highways or portions of highways.
 1. The alley between Main Street and the first alley intersection west of Main Street, and being the first alley North of 7th Street, moving easterly.
 2. On the alley between the Remley Building and Collins Building on Main Street, moving westwardly.
 3. On the first alley north of Seventh Street, moving westwardly from Main Street to the first alley running north and south.
 4. Vine Street shall be one-way southbound from 7th Street to Pendleton.
 5. The alley extending from John Street to Woodward Street for travel from east to west.
 6. The alley extending from John Street to Pendleton Avenue for travel from west to east.
 7. 9th Street, from Brookside to Pendleton Avenue, shall allow one-way truck and semi-truck traffic, in an Easterly direction. ('82 Code, Ord. No. 9-1982, passed 12/22/82) ('Ord. No. 5-1988, passed 12/14/88)(Ord. 15-1997, passed 12/16/97)
 8. Short Street from Ninth Street to Eighth Street shall be opened and that the exit onto Eighth Street from Short Street will be restricted to left turn only. Right onto Pendleton Avenue shall be prohibited. (Ord. No. 10-1998, passed 8/31/98)
 9. The street running East and West from Ford Street to Main Street immediately south of the Town Hall of Lapel shall be named Caplinger Street. (Ord. 2-1996, passed 3/19/96)
 10. The north/south street, being adjacent to the west side of the current Lions Club building, be designated as "Lions Lane." (Ord. No. 5-2001, passed 7/19/01)
 11. The north/south street designated as Lions Lane shall have a stop sign at the intersection of Fourth Street. Ord. No. 5-2001, passed 7/19/01)
 12. Clara Street, at the intersection of Sixth Street, shall be designated with stop signs for all north and south traffic traveling across or entering onto Sixth Street. (Ord. No. 6-2001, passed 7/19/01)
 13. A Deaf Child warning sign be installed at a visible location on Myrtle Drive in the Montgomery Farms Addition in the Town of Lapel, Indiana. (Ord. No. 7-2001, passed 7/19/01)
 14. There shall be no right hand turn for semi-trucks from County Road 132 to County Road 300 South for all vehicles approaching that intersection traveling in the direction of the southeast. There will be a One Hundred Dollar (\$100) fine for a violation of this ordinance. Ord. No. 2-2002, passed 4/4/2002
 15. The Town of Lapel desires to restrict the transportation of hazardous substances on the Main Street thoroughfare of the Town of Lapel as that thoroughfare represents the downtown business district. No. 5-2003, passed 8/21/2003.
- c. The Board hereby designates the following intersections of highways as stop intersections. All vehicles shall stop at one (1) or more of the entrances to a stop intersection as indicated by the signs posted upon or at these intersections to give notice of this traffic regulation.
 1. The following are stop intersections:
 - 4-way stops

- Central Ave. and 7th
- Conrad St. and Gwinn St.
- Ford St. and 4th St.
- Main St. and 4th St.
- Main St. and 9th St.
- Erie St and 5th St.
- Woodward St. and 11th.
- Woodward St. and 9th.
- Woodward Avenue and 4th St.
- Brookside Road and Bulldog Avenue.
- 3-way stops
 - Busby and Woodward St.
 - Erie and 4th St.
 - Vine and 11th St.
- 2-way stops
 - Brookside and 7th St.
 - Brookside and 8th St.
 - Brookside and 9th St.
 - Brookside and 10th St.
 - Brookside and Pendleton Ave.
 - Busby and Gwinn.
 - Central and 5th.
 - Central and 6th.
 - Central and 9th.
 - Central and Pendleton Ave.
 - Cross and 8th St.
 - Erie and 3rd St.
 - Erie and 5th St.
 - Erie and 7th St.
 - Erie and 8th St.
 - Erie and 9th St.
 - Erie and 10th St.
 - Erie and 11th St.
 - Erie and 12th St.
 - Erie and Pendleton Ave.
 - Ford and 3rd St.
 - Ford and 4th St.
 - Ford and 8th St.
 - Ford and 9th St.
 - Ford and 10th St.
 - Ford and 11th St.

- Ford and 12th St.
- Ford and 14th St.
- Ford and Pendleton Ave.
- John and 4th St.
- John and 5th St.
- John and 6th St.
- John and 7th St.
- John and 9th St.
- John and 10th St.
- John and 11th St.
- John and Pendleton Ave.
- Main and 7th St.
- Main and 8th St.
- Main and 9th St.
- Main and 10th St.
- Main and 11th St.
- Main and 12th St.
- Main and 14th St.
- Main and Main Court.
- Main and Pendleton Ave.
- Pendleton Ave and 4th St.
- Pendleton Ave and 5th St.
- Pendleton Ave and 8th St.
- Pendleton Ave and 9th St.
- Pendleton Ave and 10th St.
- Pendleton Ave and 11th St.
- Pendleton Ave and Vine St.
- Pendleton Ave and Walnut St.
- Pendleton Ave and Woodward St.
- Short and 9th St.
- Vine and 5th St.
- Vine and 6th St.
- Vine and 7th St.
- Vine and 9th St.
- Vine and 10th St.
- Vine and 11th St.
- Walnut and 5th St.
- Walnut and 6th St.
- Walnut and 7th St.
- Walnut and 10th St.
- Walnut and 11th St.

- Woodward and 4th St.
- Woodward and 6th St.
- Woodward and 7th St.
- Woodward and 8th St.
- Woodward and 9th St.
- Woodward and 10th St.
- Woodward and 11th St.
- 1-way stops
 - Auburn Court at Montgomery Boulevard
 - Birmingham Boulevard at C.R. 940 W.
 - Brookside Road at the R.R. Track
 - Boxwood Boulevard at Briar Drive
 - Boxwood Boulevard at C.R. 300
 - South Bulldog Avenue
 - Busby at Conrad
 - Crimson Circle at Montgomery Boulevard
 - Hickory Lane at Briar Drive
 - Hickory Lane at Beechwood Drive
 - 4th St going west at Intersection of Erie St and 4th St.
 - North View Drive at Briar Drive
 - Northview Drive and Bulldog Avenue
 - Montgomery Boulevard at C.R. 300
 - South Bulldog Avenue
 - Myrtle Lane and Bulldog Avenue
 - Myrtle Drive at Birmingham Boulevard (North and South)
 - Oakmont Drive at Beechwood Drive
 - Oakmont Drive at Briar Drive
 - Tide Court at Myrtle Drive
 - Tiger Court at Myrtle Drive
- Removal of the north bound and south bound traffic stop signs on Vine Street at the intersection of 11th Street.
- Intersection of a certain alley running north and south between 9th and 7th Streets Ord. No. 4, 2002, passed 7/18/2002; Ord No. 9, 2003, passed 12/18/2003, Ord. No. 5, 2004, passed 8/5/2004, Ord. No. 1-2003. passed 1/2/2003

d. "Slow-children playing" signs shall be placed

1. South of 11th Street;
2. On Gwinn Lane; and on
3. Woodward Street

e. Any person violating this section shall be fined an amount not to exceed Twenty Five Dollars (\$25.00).

('82 Code, Ord. No. 9-1982, passed 12/22/82)(Ord. No. 5-1984, passed 9/12/84)

(Ord. No. 3-1990, passed 4/11/90)(Ord. 3-1996, Passed 6/18/96)(Ord. No. 5-1996, passed 9/24/96)(Ord No. 6-1996, passed 6/18/96)(Ord. No. 5-97, passed June 17, 1997)(Ord. No. 5-1997, passed 6/17/97)(Ord. No 6-1997, passed 7/22/97) (Ord. No. 12-1997, passed

9/16/97)(Ord. 15-1997, passed 12/16/97)(Ord. No. 3-1998, passed 4/16/98)

Further Information

Date Passed: 12/22/1982

Date Amended: 4/16/1998

CH4 4 .4 - Speed Limits

- a. A speed limit of twenty (20) miles per hour be imposed and posted on all public thoroughfares, within the corporate limits of the Town, with the exception of posted speed limits on State Highway 13.
- b. That a special limit of forty (40) miles per hour with a reduced speed of twenty five (25) miles per hour when children are present to be posted at 200 S. starting at a point approximately two-tenths (.2) of a mile east of 900W and a reduced speed ahead sign, posted approximately four-tenths (.4) of a mile east of 900W in an easterly and westerly direction.
- c. Posted speed limit of thirty (30) miles per hour on Bulldog Avenue from State Road 13 to Brookside Road in the easterly and westerly direction.
- d. A thirty (30) mile per hour speed limit on Pendleton Avenue to one-tenth (.10) of a mile east of Central Avenue and from that point to 300S a forty five (45) miles per hour speed limit from 300S on Bulldog Avenue to State Road 13.
- e. The Board has determined by engineering and traffic investigations that the proper maximum speed for all highways, parts of highways and urban districts not governed by the provisions of the preceding subsection shall be thirty (30) miles per hour.
- f. Any person violating this section shall be fined an amount not to exceed Twenty-Five (\$25.00) Dollars.

Further Information

Ord No. 2-1993, passed 6/15/93

Date Passed: 6/15/1993

CH4 4 .5 - No Parking Zones

Amendments and Repeals

Sections of this ordinance have since been Amended By - [14-2007](#)

- a. No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or avoid conflict with law or the directions of a police officer or traffic control device in any of the following places where signs have been erected by the Board prohibiting parking:
1. On circle at south end of John Street;
 2. On Main Street; Parking is restored at 631 South Main Street.
 3. Between 10th and Pendleton Avenue parking shall be limited to one and one-half hours from 7:00 a.m. to 6:00 p.m. on each day of business, excepting Saturday. On Saturday, parking shall be limited to one and one-half hours from the hour of 7:00 a.m. to 9:00 p.m.;
 4. On the east side of Brookside Road, between Pendleton Avenue and Seventh Avenue;
 5. On the south side of East 10th Street; between Main Street and Vine Street;
 6. On the south side of Seventh Street, between Main Street and Pendleton Avenue;
 7. One-half hour parking limit on the west side of Main Street from the railroad tracks south of the first alley;
 8. On the west side of Ford Street, beginning at the intersection of Ford Street and Pendleton Avenue and extending a distance of seventy-five (75) feet south of said intersection. No Parking area shall be posted NO PARKING HERE TO CORNER.
 9. On the east side of Ford Street, beginning at the intersection of Ford Street and Pendleton Avenue, and extending a distance of fifty (50) feet south of said intersection. NO PARKING HERE TO CORNER.
 10. The public thoroughfare of 7th Street, directly in front of the Methodist Church shall have two parking spaces designated as "no parking." Specifically, located at the front entrance of the church, on the south side of 7th Street, two spaces each from Clara Street.
 11. No motor bus, auto truck, hack truck or semi-trailer, or other vehicle for hire, shall park on any street within the fire limits of the town longer than to discharge or take on cargo and unless in actual service. No business proprietor, resident, shall authorize said vehicles to park in front of any place of business or residential property in the town except for the purposes authorized by this subsection.
- b. Any person violating this section shall be fined in an amount not to exceed \$25.00 plus court costs.
- c. The Town Street Commissioner may lay out, design and establish street cleaning schedules in such a manner as he or she may deem fit and proper to effect the most efficient highway cleaning program. The Town Street Commissioner may also designate times and hours when highways shall be swept, cleaned or flushed, taking into consideration the times and hours that will least interfere with the use of the highway by the public generally, and particularly in the downtown area.
- d. Signs shall be posted stating the conditions and hours during which time parking is prohibited. The signs and their lettering shall be of sufficient size to be clearly legible. All highways shall be posted with such signs to give notice to the public concerning the scheduled street cleaning, repair or snow removal.
- e. During any period when highways are being repaired, swept, cleaned or snow is being removed by the Street Commissioner and signs are posted, or other notices given to the public to such effect, no vehicle shall be parked or left thereon, or other object be placed so as to obstruct or interfere with said sweeping, cleaning, repair, or snow removal from any public highway or alley. If any vehicle is parked or left standing upon any public highway or alley in violation of the no parking regulation, the Town Marshal may order

the removal of the vehicle from the highway, and impound the vehicle. The expense of removal and impoundment shall be paid by the owner. The owner shall not be entitled to recover the vehicle without payment of costs for removal, impoundment and storage. (Ord No. 5-1990 passed 9/26/90)(Ord. No. 1-1993 passed 6/15/93) (Amended By Ord. No. 5-1993, passed 12/30/93

f. A snow emergency shall exist in the Town of Lapel in conjunction to and concurrent to any snow emergency declared by Madison County, Indiana. That during a snow emergency, no motorized vehicle shall be parked on the thoroughfares as marked and designated on Exhibit A which is attached and be a part of this ordinance. Violation for the failure to abide by the no parking designation shall be punishable by fines as outlined in the existing town ordinance and the vehicle owner shall be subject to towing and storage charges of any vehicle in violation of this ordinance. That in addition to existing fines for parking violations, vehicle owners shall be subject to towing and storage charges for any vehicles removed from such designated street during a snow emergency. That the snow emergency thoroughfare shall be declared snow emergency route and accordingly marked by the Town of Lapel. (Ord. No. 6-1999, passed 6/17/1999) (Ord. No. 9-2001, passed 8/16/2001)

CH4 4 .6 - Road Weight Limits

- a. No truck or other commercial vehicle with a gross weight of ten thousand (10,000) pounds or more shall be permitted on any Town highway except:
 - i. local delivery trucks,
 - ii. owners of trucks or commercial vehicles, in excess of the gross weight, who live within the Town limits, and whose business is outside the Town limits, and then only for ingress or egress, and
 - iii. Pendleton Avenue
 - iv. any semi trucks over five tons on Ninth Street from State Road 13 to Brookside Road
- b. The Town Street Department shall post notices of this section on all access streets and roads, and designate truck routes for trucks and commercial vehicles with a gross weight over Ten Thousand (10,000) pounds.
- c. Any person violating the provisions of this section shall be fined a sum of not less than Twenty Five Dollars (\$25.00) for each violation. ('82 Code, Ord. No. 9-1982, passed 12/22/82))Ord. 5-1997, passed 6/17/97) (Amended by Ord. No. 5-1989, passed 3/16/89)
- d. A weight limit is imposed, restricting its use for vehicles, not the exceed 13 tons on Bulldog Avenue (300 South between State Road 13 and County Road 950 West) (Ord. No. 5-1999, passed 3/8/1999)

1-130 Alternative Transportation

Alternative Transportation shall be regulated on the right of ways and roadways of the Town of Lapel as follows:

1. That any operator of alternative transportation must have a current and valid drivers license and comply with local and state ordinances and laws.

2. Operation of such alternative transportation shall be during daylight hours on Town streets, not County roads or State Highways, crossing at intersections only.
3. Any alternative transportation vehicle or device must be inspected on an annual basis. The inspection costs shall be \$40.00 per unit and the inspection shall be conducted by the Lapel Police Department at the Lapel Police Station located at 720 South Ford Street, Lapel, Indiana. The purpose of the inspection will be to determine whether or not the unit is safe and in compliance with all related rules and regulations.
4. The above-described inspections will be conducted on Saturdays to be scheduled in advance by the owners. For the Saturday appointment, the following number should be contacted: (765) 535-4600.
5. The owners must renew the inspection every twelve – (120 months by scheduling the appointment as described above. The lapel Police Department will maintain records of inspection and reserve the right to remove any uninspected or unsafe alternate transportation unit.
6. Any violators of this ordinance shall be brought before the Lapel Safety Board and subject to a fine up to \$500.00 per violation offense.
7. Each alternate transportation unit must be insured and verification of that insurance must be presented at the time of the above referenced inspection.
8. The purpose of this ordinance, alternate transportation is described as any motorized vehicle not requiring to be plated, including but not limited to electric vehicles, golf carts, utility carts excluding quad runners and dirt bikes.
9. Parking will be parallel to and on the right in the same direction as the traffic is designed to flow.

This ordinance shall not supersede any Indiana State law or statute as to transportation. (Ord. No. 5-2003, passed 5/1/2003.)

Further Information

'82 Code, Ord. No. 9-1982

Date Passed: 12/22/1982

Date Amended: 5/1/2003

CH4 4 .7 - Abandoned Vehicles

CH4 4 .8 - Removal and Disposal

a. Definitions. The following terms shall be construed in this section as follows:

1. "Abandoned vehicle" means abandoned vehicle as defined in IND.CODE 9-9-1.1-2. as amended.
2. "Property" means public or private property, as defined by IND.CODE 9-9-1.1-2, as amended, within the Town.

3. "Street or highway" shall mean the entire width between the boundary lines of every publicly maintained way when any part thereof is opened to the use of the public for purposes of vehicular traffic.

4. "Vehicle" means vehicle as defined in IND CODE 9-9-1.1-2, as amended.

b. No person shall store or permit the storage of a junked or abandoned vehicle, or vehicle which is incapable of being operated, on any property within the Town.

- o No person shall abandon any vehicle within the Town. No person shall leave any vehicle at any place within the Town for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
- o Junked or abandoned vehicles are hereby declared to constitute a nuisance except where located in lawfully operated salvage yards, or yards lawfully operated for storing vehicles legally impounded for disposition as abandoned motor vehicles.
- o This section shall not apply to commercial garages or repair shops or vehicles undergoing ordinary repair while inside a garage or other building located on property legally zoned for such use under the zoning section of this Code or wholly within a building on said premises.

c. Any officer may order any abandoned vehicle removed from property within the Town within ten (10) days after giving written notice as herein provided.

- o Notice of such order shall be placed upon said vehicle and copies of the notice shall be served upon any adult occupant of the property on which said vehicle is located, and upon the owner of such vehicle where the name of said owner is known.
- o If no occupant of said property or owner of said vehicle can be found or is known, a copy of such notice shall be affixed to any building located on said property or if there is no building on said property, such notices may be affixed elsewhere on the property, or on the vehicle, and by posting said notices, the owner and occupant of said property and the owner of said vehicle shall be deemed to have been legally notified of said removal order.

d. The recorded owner or the occupant of any property on which said abandoned or junked vehicle is stored or located, on the receipt of such written notice, shall, within the time stated in such notice, remove such abandoned vehicle or correct the condition stated in said notice. Should the owner of said property or said abandoned or junked vehicle, after such service, and the lapse of time therein stated, fail, refuse or neglect to remove said vehicle or correct such condition, the officer issuing such notice shall cause an affidavit to be filed in the court having jurisdiction for violation of this section and failure to remove on notice, and shall cause such work to be done as may be required for the preservation of the life, health, comfort and property of the public, including the removal of such vehicle from the premises to a proper storage lot or area legally operated for salvaged vehicles. In such event, both the owner or occupant of said property and the owner of said abandoned vehicle shall be liable for violation of this section for the entire cost and expense incurred by the Town in removal of such vehicle and such costs may be recovered by civil action in addition to the penalty hereinafter provided for violation of this section.

e. Any person who violates any of the provisions of this section shall be fined in an amount not to exceed One Hundred Dollars (\$100.00). Each day such violation continues after service of notice constitutes a separate offense and shall be punishable as such. As an additional penalty for the violation of this section and failure to remove following notice, the court in which the affidavit is filed may order said abandoned

vehicle seized and impounded at a location determined by the Board and disposed of after thirty (30) days by sale or otherwise as determined by said Board. During said thirty (30) days the owner of said vehicle may recover by paying his or her fine and all expenses of said notice, towing, impounding and storage of the vehicle by said Town officials.

f. The fines fixed by the court under this section and the amount received from the sale of said vehicles and otherwise, shall be set up in a special fund in the Town to pay for the expense of notice, towing, storage, and disposal of said vehicles as herein provided.

Codifer's note:

Ordinance 2-1969 provided:

"AN ORDINANCE DEFINING AND PROHIBITING ABANDONED OR JUNKED VEHICLES, PROVIDING FOR THE REMOVAL OF ABANDONED OR JUNKED VEHICLES FROM PROPERTY AND FROM STREETS OR HIGHWAYS, PROVIDING

FOR IMPOUNDING AND DISPOSAL OF SUCH VEHICLES; ALSO FIXING

PENALTIES AND SETTING UP A SPECIAL FUND THEREFORE."

"WHEREAS, in many areas of the Town . . . abandoned or junked vehicles have been permitted to remain on property for long periods of time; and

WHEREAS, said abandoned or junked vehicles are also found along the streets, highways or in other public places in the Town . . . from time to time; and

WHEREAS, the storage of said junked vehicles and/or the abandonment of such vehicles either on property or along the streets, highways or other public places in the Town cause an unsightly appearance to the neighborhood; create, extend and aggravate urban blight; create hazards to the health, safety and welfare of citizens and residents of the community, including property owners, neighbors and children; and

WHEREAS, adequate protection of the public health, safety and welfare requires that such conditions be regulated, abated or prohibited; . . ."

('82 Code, Ord. No. 9-1982, passed 12/28/82)

Further Information

'82 Code, Ord. No. 9-1982

Indiana Code [9-9-1.1-2](#)

Date Passed: 12/22/1982

