

TOWN OF FORT BRANCH, INDIANA
ORDINANCE NO. 2022 -6

AN ORDINANCE DESIGNATING CERTAIN STREETS AS NO
PARKING ZONES FOR THE PURPOSE OF PUBLIC SAFETY
AND WELFARE FOR THE TOWN OF FORT BRANCH,
INDIANA

WHEREAS, the Town Council of the Town of Fort Branch, Indiana (Hereafter referred to as "Town Council"), is responsible for the performance of various functions of the Town of Fort Branch, Indiana (hereafter referred to as "Town"), and

WHEREAS, the Town Council has identified various public streets, as further designated herein, that present a safety hazard with regard to street-side parking, for purposes of emergency response to emergency situations; and

WHEREAS, after careful consideration, the Town Council now desires to designate these streets as "No Parking Zones," with penalties assessed, for violation of this parking prohibition.

AND NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE FORT BRANCH, INDIANA, that this Ordinance Designating Certain Streets as No Parking Zones for the Purpose of Public Safety and Welfare for the Town of Fort Branch, Indiana, is hereby adopted as follows:

SECTION 1. The Town Council hereby identifies the following streets as a "No Parking Zone," due to the safety hazard that parked vehicles, trailers, or other encumbrances present, should a first responder vehicle have to respond to an emergency:

- a. Tretter Park Drive from the west end and the south side from the dead end to Eastview. Parking is allowed on the north side of Tretter Park Drive 25 feet from the entrance of the Park.

SECTION 2: Penalties for any violation of this Ordinance, shall be assessed, as follows:

- a. Any person who parks from the west end and the south side from the dead end to Eastview of Tretter Park Drive a citation in the amount of twenty-five dollars (\$25) for the first offense and fifty dollars (\$50) for each additional offense.
- b. For the purpose of this ordinance, an offense shall be considered an additional offense if the commission of the additional offense occurred within thirty (30) days of the first offense.
- c. Any individual in violation of this Ordinance, who has received a citation, shall have Twenty-Four (24) hours to correct the violation, before it becomes an Additional Offense.
- d. The citation shall also state that if the required action is not completed within forty-eight (48) hours of the date that the notice is delivered, then the Town may remove the vehicle, at the expense of the owner. If removal by the Town remains unpaid for a period of more than 15

days after completion of the removal, then the Town shall send notice to the owner and any other person or entity having a substantial interest in the vehicle, requiring full payment within 15 days after the date of delivery of said notice, then the Town shall certify the amount owed to the County Auditor.

- e. If the violation is deemed to be a threat to public health or safety, the enforcement authority may order the parking activity to cease and desist immediately, regardless of whether a citation has been issued.
- f. The citation and order of abatement shall be deemed properly served if a copy is sent by certified return receipt mail, hand delivered by an employee of the Town, placed in a conspicuous place on the vehicle, or by any other method of service acceptable pursuant to Indiana Code.

Section 4: Nothing in this Ordinance shall prohibit the Town from having any vehicle in violation of this Ordinance towed, at the Owner, Operator, or Licensee's expense, provided the Town has adhered to proper statutory procedure.

SECTION 5: This Ordinance shall be in full force and effect from and after passage and publication thereof as required by law.

SECTION 6: This Ordinance 2022- 6 is in effective as of the signing and adoption by the Town Council of Fort Branch, Indiana on this 25th day of August 2022.

PASSED AND ADOPTED by the Counsel of the Town of Fort Branch, Indiana, this 25th day of August 2022. This Ordinance shall be effective upon passage.

ATTEST:


STACY ELPERS, CLERK TREASURER

TOWN COUNCIL OF FORT BRANCH, INDIANA


SANDRA BIRCH, COUNCIL PRESIDENT

SCOTTY DELONG, COUNCIL MEMBER


ROBERT REINHART, COUNCIL MEMBER

