

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE TOWN OF PORTER, INDIANA
AMENDING CHAPTER 66, ARTICLE VII OF THE PORTER
TOWN CODE ENTITLED PARKING, STOPPING AND STANDING

BE IT, AND IT IS HEREBY ORDAINED by the Town Council of the Town of Porter, Indiana, that Chapter 66, Article VIII, entitled "Parking, Stopping and Standing," of the Porter Town Code, shall be amended in accordance with the following:

Section 1. Amendment of Section 66-175. Section 66-175, entitled "Reserved", is amended by deleting the existing text of Section 66-175 and replacing with the following:

Sec. 66-175. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural equipment means any motorized or non-motorized equipment which is used for agricultural tasks, including without limitation a tractor or any vehicle or device used to mount, tow or move agricultural implements.

Commercial vehicle means: any motor vehicle with more than two axles; any motor vehicle with a declared gross vehicle weight of more than 10,000 lbs.; any vehicle which is not a passenger vehicle as defined herein; or any trailer, any portion of which is designed for commercial, professional, or business purposes.

Construction equipment means any motorized or non-motorized equipment, which is used off-premises for the purpose of construction related tasks, including, but not limited to excavation, compaction, paving, spreading, hauling, loading, leveling, or cutting.

Emergency vehicle means a vehicle used for the purpose of responding to emergencies involving injuries to persons, damage to property or the environment, law enforcement, or traffic control or response, and operated specifically by, but not limited to the following: fire department, police department, sheriff's department, ambulance provider, hazardous materials response unit, armed forces, county coroner, and/or the national lakeshore or national park service.

Passenger vehicle means any automobile, pick-up truck, sport utility vehicle, motorcycle, or van with a maximum of two axles, and with a declared gross vehicle weight of no more than 10,000 lbs.

Recreational vehicle means a portable vehicular structure designed as a temporary dwelling for travel and vacation uses which is identified on the unit by the manufacturer as a travel trailer or a motor home, and is of a size that is street legal; and is a structure mounted on an automobile or truck, and is designed to be used for sleeping and human habitation.

Utility service vehicle means a truck owned by an electric, gas, telephone, pipeline, or other similar utility, or a tow truck, or similar vehicle driven to the residence of an employee for the purpose of responding directly in case of emergency.

Vehicle means an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, a motorized bicycle, or any other device by which any person, property or equipment may be transported or moved.

Yard means an open space on a zoning lot which is unoccupied and unobstructed from the ground level or lowest level otherwise specified, to the sky, extending along a lot line at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such zoning lot is located.

Yard, front means a yard extending along the full length of the front lot line between the side lot lines.

Yard, rear means a yard extending along the full length of the rear lot line between the side lot lines.

Yard, side means a yard extending along a side lot line from the front yard (or front lot line when there is no front yard) to the rear yard (or rear lot line when there is no rear yard.)

Section 2. Amendment of Section 66-185. Section 66-185, entitled "Towing", is amended by deleting the existing text of Section 66-185 and replacing with the following:

Sec. 66-185. Towing.

Any vehicle which is illegally parked in violation of sections 66-181, 66-182, 66-183, 66-184, 66-186, 66-187, 66-189 or 66-190 may be removed from the streets, alleys, or highways within town under the direction of the police department and impounded in a place designated by the chief of police or his designee. All charges for the removal and storage of said vehicles shall be borne by the owner of the vehicle.

Section 3. Amendment of Section 66-187. Section 66-187, entitled "Parking of certain vehicles in rights-of-way and front yards prohibited", is amended by deleting the existing text of Section 66-187 and replacing it with the following:

Sec. 66-187. Parking of vehicles in Residential Districts.

(a) No person shall park any motor home, travel trailer, camping trailer, recreational vehicle, boat, flatbed truck, utility trailer, or any commercial vehicle over three-fourths ton on any street or alley right-of-way yard of any property located in a residentially zoned district in the town. Emergency vehicles and "on call" utility service vehicles from public utilities or automobile towing companies are exempted therefrom.

(b) Off-street parking facilities in any residential district shall be used solely for the parking of passenger vehicles, recreational vehicles, boats, and similar equipment, owned by occupants of the dwelling structures to which such facilities are accessory or by guests of such occupants. Under no circumstances shall the parking or storage of commercial vehicles, construction equipment, agricultural equipment or the parking of automobiles belonging to employees, owners, tenants, visitors or customers of business or industrial establishments take place in any residential zoning district, except for expeditious delivery, pickup of materials or construction use, and except as otherwise permitted in conjunction with permitted home occupations in compliance with applicable Town zoning ordinances and state law.

(c) Off-street parking of passenger vehicles, recreational vehicles, boats, and similar equipment, required for uses permitted in residential districts, shall be located in the required front, side or rear yards. All vehicle parking within the required front yard

shall be within the driveway only. No vehicles may block a sidewalk per Section 66-177(a). All vehicle parking shall be on a hard surface comprised of concrete, asphalt or a comparable all-weather dustless material approved by the Building Commissioner.

(d) These regulations shall be enforced in the following manner:

- (1) A warning ticket shall be issued by the Porter Police Department to the owner of any illegally parked vehicle and said owner pursuant thereto shall be given 72 hours in which to move the illegally parked vehicle.
- (2) If the vehicle fails to heed the warning ticket, the owner of the vehicle shall be cited by the Porter Police Department, or Code Enforcement Officer, for violation of this section and shall be subject to a fine in accordance with Sections 1-8 and 1-18.

Section 4. Addition of new Section 66-189. A new Section 66-189 is hereby added to Chapter 66, Article VII, to read as follows:

Sec. 66-189. Additional parking regulations.

No person shall 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 12 inches of the curb or the edge of the roadway, except as otherwise expressly provided in the Code.

Section 5. Addition of new Section 66-190. A new Section 66-190 is hereby added to Chapter 66, Article VII, to read as follows:

Sec. 66-190. Obstruction of a Mailbox Prohibited.

(a) *Purpose.* It is hereby declared that the purpose of this section is to prohibit the obstruction by a vehicle of a mailbox in such a manner so as to impede the delivery of the mail by the United States Postal Service.

(b) *Definition of Mailbox.* As used in this section, *mailbox* means: a public container approved by the United States Postal Service for deposit of outgoing mail; or a private container approved by the United States Postal Service for incoming mail.

(c) *Obstruction of mailbox.* A person may not stop, stand, or park a vehicle in such a manner as to obstruct a mailbox or to interfere with the delivery of mail by the United States Postal Service. Vehicles following the direction of a law enforcement officer or traffic control device, emergency vehicles when responding to an emergency call, United States Postal Service vehicles, and individuals stopped for the sole purpose of placing or removing mail from a mailbox are exempted from this section.


(d) *Enforcement.* Enforcement of this section shall be by the Porter Police Department. If a vehicle is found to be in violation of this section, the owner of the vehicle shall be subject to a fine in accordance with Sections 1-8 and 1-18.

Section 6. Conflicting Ordinances. Any Ordinance or provision of any Ordinance of the Town of Porter Code of Ordinances in conflict with the provisions of this Ordinance is hereby repealed.

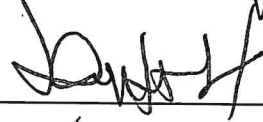
Section 7. Severability. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.


PASSED AND ADOPTED by the Town Council of the Town of Porter, Indiana on the 27th day of JUNE, 2023.



William Lopez, President



Don Craft



Brian Finley



Laura Madigan



David Phillips

ATTEST:


Carol Pomeroy, Clerk-Treasurer

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18,056-36 (misc.)