Passed 9-0

ORDINANCE 11-03

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"
(Two Signalized Intersections and Certain Items Deferred from Ord 10-15)

WHEREAS, the Traffic Commission has recommended certain changes be made in Title 15 of Bloomington Municipal Code entitled "Vehicles and Traffic";

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 15.12.030 Signalized intersections shall be amended to add the following:

SIGNALIZED INTERSECTIONS

Cross Street	**Cross Street**	**Flasher Hours and Days**	**Preferentiality**
Dunn Street	19th Street		
Patterson Drive	Fairview Street		

SECTION 2. Section 15.32.060 Parking of equipment or machinery shall be amended by deleting the existing section and replacing it with the following:

(a) No equipment or machinery, whether self-propelled or towed, shall be parked or permitted to stand on a street without prior approval from the Department of Public Works. Prior approval is not necessary in the event of an emergency.
(b) Service trucks may be parked on the streets while the operators are engaged in the repair or service of utilities if no suitable off-street parking is available.
(c) Violation and Penalty. Any violation of this section is a Class C violation and subject to the penalty listed in Section 15.64.010(c).

SECTION 3. Section 15.32.090 Limited Parking Zones, subsection (f) "Special Events Parking Permits," shall be amended by deleting this subsection as it appears and replacing it with the following:

Special Events Parking Permits. Upon approval of application, the Department of Public Works may issue a special events parking permit which temporarily exempts for specified time periods certain vehicles and uses from the parking control listed elsewhere in this section.

(1) Applications for such permits shall be submitted to the Department of Public Works at least seven days prior to the time that reserved parking spaces are needed.
(2) The special events parking permits are valid only for the specific parking spaces and the specific dates designated on an approved application.
(3) The Department of Public Works shall post notice of the parking space reservation at least twenty-four hours in advance of the time the reservation shall become effective.
(4) Permitted uses for a special events parking permit shall include, but are not limited to, buses transporting guests to and from lodging establishments, and buses and other vehicles used in association with the production or presentation of performances at entertainment venues.
(5) A special events parking permit issued under the authority of this section shall exempt permit holders from prohibitions listed in Bloomington Municipal Code Sections 15.32.070 and 15.48.010.
(6) The fee for a special events parking permit shall be ten dollars per vehicle per day or ten dollars per vehicle parking space per day if the vehicle is to occupy more than one parking space.

SECTION 4. Section 15.32.170 Parking prohibited facing traffic shall be amended by deleting it and replacing it with a part of the former provision so that it now reads:

> 15.32.170 Parking prohibited facing traffic. No person shall stand or park a vehicle on the street or roadway other than in the direction of lawful traffic movement.

SECTION 5. CHAPTER 15.32 PARKING CONTROLS shall be amended by adding "Section 15.32.175 Parallel and angle parking" to the table of contents of Chapter 15.32 and by adding the following new section:

> 15.32.175 Parallel and angle parking. Where parallel parking is required, vehicles shall park with the curbside wheels of the vehicle parallel with and within one foot of the curb or within the marked space. Where angled parking is required, vehicles shall be parked with the front wheel nearer the curb touching or within one foot of the curb or within the marked space.

SECTION 6. Section 15.37.060 Expiration of permits shall be amended to add the following at the end of the provision:

Permits issued under this chapter shall be invalid if the permit holder moves from the residence address contained in the application for a residential neighborhood parking permit.

SECTION 7. Section 15.48.020 Removal and impoundment procedure shall be amended by deleting this section as it appears and replacing it with the following:

(a) Any officer of the Bloomington Police Department discovering a public nuisance as described in Section 15.48.010 shall cause the vehicle to be removed by an authorized towing service. If the vehicle owner or last operator appears at the site of the violation before the vehicle is removed and provides to the towing service the vehicle owner's and last operator's names and addresses, if different, then the vehicle shall be released.

(b) Impounded vehicles shall be released without payment of the towing and storage charges upon: provision to the towing service of names and addresses of the vehicle owner and last operator, if different; order of the Bloomington Police Department; or order by the judge of a court of competent jurisdiction.

SECTION 8. Section 15.56.080 Bicycle paths established shall be amended by deleting subsection (3) and renumbering the remaining subsections.

SECTION 9. CHAPTER 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by renumbering section "15.56.090 Right-of-way of bicycle riders" as "15.56.085 Right-of-way of bicycle riders" and inserting the new section title in the table of contents of Chapter 15.56.

SECTION 10. CHAPTER 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by adding the section title, "15.56.090 Bicycle parking" to the table of contents of Chapter 15.56 and by adding the following new section:

> 15.56.090 Bicycle parking
>
> (a) No person shall park a bicycle:
>
> (1) in a manner as to hinder or obstruct pedestrian traffic or to damage public property in any manner; or
>
> (2) in any space designed and intended for use by motor vehicles unless such area shall be specifically allocated to bicycle parking by placement of a bicycle rack.
>
> (b) Bicycle racks may be installed in the public rights-of-way upon application for a no-charge permit from the office of the city engineer and approval of the board of public works. All bicycle racks constructed pursuant to

this section shall be located, constructed and maintained in accordance with the specifications of the city engineer who shall be responsible for keeping sufficient records of permits and specifications.

(c) Any bicycle parked in violation of this chapter or abandoned pursuant to section 15.56.095 is subject to impoundment. It is lawful for the city to remove locking devices in order to impound a bicycle. The City shall not be responsible for damage done to locks during impoundment.

SECTION 11. Chapter 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by adding the section title, "15.56.095 Abandoned bicycles" to the table of contents of Chapter 15.56 and by adding the following new section:

15.56.095 Abandoned bicycles.

(a) Abandoned bicycles:

(1) No person shall abandon any bicycle on any public way within the city. A bicycle shall be deemed abandoned if it: (i) is in such a state of disrepair as to be incapable of being operated in its present condition, (ii) has not been moved for at least two weeks; or (iii) bears physical indicia of having been abandoned.

(2) Any bicycle deemed abandoned pursuant to subsection (1) of this section may have a notice affixed to it which informs the bicycle's owner that the bicycle appears to be abandoned. The manager of parking enforcement or designee is authorized to affix such notices upon bicycles. This notice shall indicate: (i) a telephone number for the owner to call to inform the department of parking enforcement that the bicycle is not abandoned; and (ii) the date after which the bicycle may be removed if it is not claimed by its owner. A bicycle shall not be deemed to be abandoned if the owner of the bicycle, within seven days of the affixing of a notice of abandonment, notifies the department of parking enforcement that the bicycle is not abandoned.

(3) If a bicycle is not relocated or claimed by its owner within seven days of the affixing of a notice of abandonment, that bicycle may be removed and impounded by the department of parking enforcement.

(b) Reclaiming impounded bicycle:
Impounded bicycles may be reclaimed by the owner of the bicycle. A fee of $30.00 shall be paid before the bicycle is released to the owner.

(c) An impounded bicycle shall be subject to disposal in accordance with state law if the bicycle has remained unclaimed for at least one year.

SECTION 12. Chapter 15.60 MISCELLANEOUS TRAFFIC RULES shall be amended by renaming section number 15.60.020 in the table of contents for this Chapter so that it reads as follows:

15.60.020 Driving or parking in park, picnic ground or golf course

SECTION 13. Section 15.60.020 Driving or parking in park, picnic ground or golf course shall be amended by deleting this section and replacing it with the following:

15.60.020 Driving or parking in park, picnic ground or golf course. No person shall operate or park a motor vehicle, motorcycle or motorized bicycle across any part of a public park, picnic ground, golf course, or other public property not designed and intended to be used by motor vehicles. Any driving violation under this section is a Class C Traffic Violation and subject to the penalty listed in Section 15.64.010(c). Any parking violation under this section is a Class D Traffic Violation and subject to the penalty listed in Section 15.64.010(d).

SECTION 14. Section 15.64.010 Violations and penalties, subsection (d) "Class D Traffic Violations (most parking violations)" shall be amended by adding the following to the list of violations:

15.60.020 Parking illegally in park, picnic ground, or golf course

SECTION 15. Section 15.60.050 entitled Pedestrians shall be amended to add the following:

(28) 2000 South Liberty Drive

SECTION 16. Section 15.64.010 Violations and penalties, subsection (d) "Class D Traffic Violations (most parking violations)" shall be amended by deleting the reference to 15.64.040 (and the accompanying description) from the list of violations and replacing it with the following:

15.60.040 Parking on sidewalk

SECTION 17. Section 15.64.010 Violations and penalties, subsection (h) "Class G. Traffic Violations (Bicycle safety violations)" shall be amended by adding the following to the list of violations:

15.56.020(a) Operating bicycle on sidewalk

SECTION 18. Section 15.12.010 Schedule A – Stop Intersections shall be amended to delete the following:

STOP INTERSECTIONS

Traffic on	**Shall Stop for Traffic on**
Maple	Fourth Street

SECTION 19. Section 15.12.010 Schedule B – Multi-Stop Intersections shall be amended to add the following:

MULTI-STOP INTERSECTIONS

Fourth and Maple	4-Way

SECTION 20. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 21. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, the approval of the Mayor and any promulgation as required by law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of APRIL, 2011.

Susan Sandberg

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 7th day of APRIL, 2011.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 7th day of APRIL, 2011.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance makes several changes to the Bloomington Municipal Code. This includes signalized intersections, equipment/machinery parking, limited parking zones, parking controls, permits, impounded vehicles, bicycles, pedestrian crosswalks, and violations and penalties.

Note: The Council adopted two amendments at its Regular Session on April 6, 2011: Am 01 inserted new Sections 18 and 19, which converted the 2-way stop at Fourth and Maple to a 4-way stop; and, Am 02 corrected typographical errors in Sections 10 and 15.

Signed Copies to:
Legal
Controller
Public Works
Parking
BPD
Parks & Rec
HT for publishing
BMC
CLERK (2)
CA/CA (2)