

ORDINANCE NO. 74-56

AN ORDINANCE CONCERNING EMERGENCY VEHICLE LANES

WHEREAS, it is necessary that the motor vehicles of the Fire and Police Departments of the City of Bloomington as well as other emergency and rescue vehicles have a free and unobstructed means of access to buildings in the City which are used or occupied for multi-family, business or commercial purposes; and

WHEREAS, in order to accomplish such purpose it is necessary to provide and maintain open areas of lanes, alleys, privately-owned public parking lots, driveways, and service areas which will at all times be available for use by such vehicles;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON:

SECTION ONE. That Section 28.16 be deleted from the Fire Prevention Code adopted in Section 18.04.010 of the City of Bloomington and that the following be added as Section 18.04.120 of the City Code of Bloomington:

18.04.120.00 Parking Adjacent to Buildings

- (a) It shall be unlawful to cause or permit any vehicle or other obstacle to stand or remain in any lane, alley, privately-owned public parking lot, driveway, or service areas, within sixteen feet of any building, accessory structure or sidewalk which is immediately adjacent to or attached to any building, where such building is occupied by more than two families or is occupied for commercial, professional, religious, or other type of occupancy or assembly, in such a manner as would obstruct the free passage of the Fire Department vehicles, Police cars, emergency or rescue vehicles, or any other vehicles performing a public or emergency function, except for such time as is necessary for the taking on or unloading of passengers or merchandise, except properly identified vehicles of handicapped or disabled individuals, unless a nearby suitably designated space is available.
- (b) Where there are areas inaccessible to vehicular traffic between a lane, alley, privately-owned public parking lot, driveway, or service area and any building, accessory structure or sidewalk immediately adjacent to or attached to any building, the restricted area of sixteen feet shall be measured from the inaccessible areas abutting the lane, alley, privately-owned public parking lot, driveway, or service area and a sixteen foot emergency vehicle lane established so as to permit free and continuous passage of emergency vehicles.

- (c) The Fire Department of the City of Bloomington shall inspect the area surrounding all buildings to which this section applies, and the Fire Chief shall determine the location of emergency vehicle lanes established herein and he shall notify the property owners affected thereby in writing, together with a notation as to the number of signs deemed necessary by the Fire Department in order to properly notify vehicle drivers of the existence and location of emergency vehicle lanes: Provided, that if, in the technical, expert opinion of the Fire chief that compliance with (a) or (b) above would not serve to further the purposes intended by this section, he shall advise the affected property owners or managers that such compliance, in part or in full, is waived.
- (d) The traffic control devices designating the emergency vehicle lanes shall be approved by the Department of Transportation of the City of Bloomington but shall not be in conflict with the Indiana Manual of Uniform Traffic Control Devices. The erection and maintenance of such traffic control devices shall be the responsibility of each property owner.

18.04.120.10 Enforcement

- (a) It shall be the joint duty of the officers of the Police Department and the officers of the Fire Department to enforce the provisions of this section.
- (b) To aid in the enforcement of this section the Fire Chief shall obtain from each property owner, lessee or person in possession of property covered by this ordinance an affidavit granting permission and consent to the towing away of any personal property which is obstructing emergency vehicle lanes. The original affidavits shall be kept on file in the City Attorney's office with duplicates filed in the fire chief's office.

18.04.120.20 Penalties

- (a) Failure to erect or maintain the emergency vehicle lane signs or lanes as directed by the Fire Department shall be unlawful and subject to the penalties provided in Section 18.04.110 (a).
- (b) Persons violating Subsection 18.04.120.00 (a) or (b) shall be subject to the following penalties:
- (1) A fine in the amount of ten dollars (\$10.00); and
 - (2) Enforced removal of the vehicle or obstacle parked, standing, or remaining in violation.

18.04.120.30 Severability

If a part of this section is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this section is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

SECTION TWO. This ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Mayor, and publication in accordance with the law.

Passed and adopted by the Common Council of the City of Bloomington, Indiana on the 7th day of Nov., 1974.

ATTEST:

James J. Ackerman
James Ackerman,
Council President

Grace E. Johnson
Grace Johnson, City Clerk

Presented by me to the Mayor of the City of Bloomington,
Indiana, upon the 15 day of Nov, 1974, at the hour of 3 o'clock
p.m.

Grace E. Johnson
Grace Johnson, City Clerk

This ordinance approved and signed by me upon the 3 day of
Dec., 1974, at the hour of 10 o'clock A.m.

Francis X. McCloskey
Francis X. McCloskey, Mayor