

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 8-2016

**AN ORDINANCE DESIGNATING NO PARKING ZONES ON
COUNTY ROAD 160 IN HENRYVILLE, INDIANA**

WHEREAS, this Board of Commissioners of Clark County, Indiana (this “Board”), is the executive body of Clark County government pursuant to the provisions of Ind. Code 36-2-2-2; and,

WHEREAS, this Board is also the legislative body of Clark County government pursuant to the provisions of Ind. Code 36-1-2-9; and

WHEREAS, pursuant to Ind. Code 9-21-1-3(a) (1), a local authority, with respect to private roads and highways under the authority’s jurisdiction may regulate the standing or parking of vehicles ; and

WHEREAS, Ind. Code 9-13-2-175 defines a “highway” as, “the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel,” and includes an alley.

WHEREAS, Ind. Code 9-21-16-1 provides that a person may not stop, park, or leave standing an attended or unattended vehicle upon the paved or main traveled part of a highway outside of a business; and

WHEREAS, pursuant to Ind Code 9-21-16-2, a stopped or parked vehicle shall leave a sufficient unobstructed width of the roadway opposite the vehicle for the free passage of other vehicles and a clear view of the stopped vehicle upon a highway; and

WHEREAS, this Board, upon the recommendation from the Clark County Engineer, desires to add No Parking signage along County Road 160 between North Ferguson St. and

North Front Street, Henryville, Indiana to prevent the parking within the paved or main traveled part of a highway and also to allow for sufficient unobstructed and clear view.

NOW, THEREFORE, BE IT ORDAINED by this Board of Clark County Commissioners as follows:

1. That No Parking signs shall be placed in Henryville to prevent the parking within the paved or main traveled part of a highway as follows:

a. Two “No Parking Between” signs with an arrow pointing toward each other shall be placed along the South side of County Road 160 (in front of the Henryville Post Office) as follows:

1. One sign, including an arrow pointing eastward toward Dean Alley (formerly Colonels Way). approximately 110 feet from the center point of S. Ferguson Street

2. The second sign with an arrow pointing westward toward S. Ferguson Street approximately 110 feet from the above sign and approximately 220 feet from the center point of S. Ferguson Street.

b. A series of three “No Parking Between” signs with arrows pointing toward one another shall be placed along the north side of County Road 160 between N. Ferguson Street and Dean Alley (formerly Colonels Way) to allow for a clear and unobstructed view as follows:

1, One sign with an arrow pointing eastward, toward Dean Alley (formerly Colonels Way) and approximately 100 feet from the center point of N. Ferguson Street.

2. The second sign with an arrow pointing in both an eastward and westward direction, approximately 130 feet from the above sign (listed in item #1(b)(1)) and 230 from the center point of N. Ferguson Street.
 3. The third sign with an arrow pointing in a westward direction, approximately 135 feet from the above sign (listed in item #1(b)(2)) and approximately 365 feet from the center point of N. Ferguson Street.
- c. Two “No Parking Between” signs with an arrow pointing toward each other shall be placed along the North side of County Road 160 between Dean Alley (formerly Colonels Way) and N. Front Street to allow for a clear and unobstructed view as follows:
1. One sign, including an arrow pointing eastward toward N. Front Street approximately 150 feet from the center point of Dean Alley (Formerly Colonels Way).
 2. The Second sign with an arrow pointing westward toward Dean Alley (Formerly Colonels Way) approximately 75 feet from the above sign and approximately 225 feet from the center point of Dean Alley (formerly Colonels Way).

See Exhibit “A” Attached hereto for a diagram denoting sign locations.

2. That any violations of this ordinance is a Class C infraction and shall be enforced pursuant to Ind. Code 9-21-16 *et seq.*, including the right of law enforcement to require the person driving the vehicle or other person in charge of the vehicle to move the vehicle. If the person fails or refuses, or the vehicle is unattended, the officer may

provide for the removal of the vehicle to the nearest available garage or other place of safety.

3. Any fine assessed for a violation of this traffic regulation shall be deposited into the Clark County General Fund pursuant to Ind. Code 9-21-1-2.

4. The county engineer is hereby ordered to post the necessary signs in accordance with this ordinance and Indiana law and specifications notifying drivers of such change.

5. The traffic regulation shall become effective when the signs giving notice of the duty have been posted.

6. The Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

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SO ORDAINED this 2nd day of June, 2016.

Members voting "NO":

Jack Coffman, Commissioner

Rick Stephenson, Commissioner

Bryan Glover, Commissioner

Members voting "YES":



Jack Coffman, Commissioner

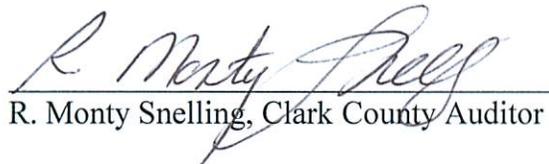


Rick Stephenson, Commissioner

-absent-

Bryan Glover, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

EX A

