

§ 73.11 PARKING MOBILE HOMES, SEMI-TRAILERS, AND THE LIKE RESTRICTED.

(A) No mobile home, semi-trailer, or vehicle or combination of vehicles joined together, the overall length of which is greater than 30 feet, and no vehicle or combination of vehicles joined together, the overall width of which at the widest point is greater than eight feet, shall be parked or stopped upon the public streets, roadways, or thoroughfares of the city. For the purpose of determining vehicle length or width under this section, any cargo or equipment loaded upon or attached to the vehicle shall be considered a part of the vehicle.

(B) Notwithstanding the provisions of division (A) of this section, the Board of Public Works and Safety of the city may, upon proper application by the owner or proprietor of the vehicle, grant parking privileges to or for a vehicle otherwise prohibited from parking, to park at that place on that public street, highway, or thoroughfare in the city as may be approved by the Board.

(C) (1) Notwithstanding the provisions of division (A) of this section, this type of vehicle may be parked or stopped on a public street, highway, or thoroughfare within the city and as may be necessary for the purpose of making a local pickup or delivery of goods, wares, and merchandise, but for a reasonable time only for that purpose.

(2) In the event that this type of vehicle is disabled or immobilized, the vehicle may be parked or stopped for a reasonable time only as may be necessary until the same may be removed or until assistance in its removal may be secured.

(` 83 Code, § 8-95) Penalty, see § 10.99

§ 73.12 PARKING UNLICENSED VEHICLES PROHIBITED.

No person shall park an unlicensed vehicle or a vehicle without a valid license plate attached thereto at any time upon any street, highway, or roadway in the city.

(` 83 Code, § 8-96) Penalty, see § 10.99

§ 73.13 PROHIBITED PARKING AREAS.

(A) *Prohibited parking area.* Except as otherwise provided in this section:

(1) It shall be unlawful to park a vehicle in a front yard, in a side yard on the street side of a corner lot, or in a rear yard that abuts a street.

(2) It shall be unlawful to park a vehicle over any part of the sidewalk or curb that is parallel to the public way, including the part of the sidewalk that is part of a driveway.

(B) *Exceptions.* For the purposes of this section, parking shall not be prohibited in the following areas:

(1) An improved area in the prohibited parking area used as a parking space before this section is adopted, provided that the entrance to the approved area is via a driveway or curb cut, except where adjacent to a paved street where there is no curb.

(2) Parking in any portion of the driveway that may be located in the front yard, rear yard, or side yard, except the portion that is part of the sidewalk.

(3) Parking within ten feet of the edge of the street where no curb is present, within the existing right-of-way, and in an improved area.

(4) Any improved area meeting setback requirements and other applicable zoning provisions. The Zoning Department must determine compliance with all such improved areas.

(5) Parking in a front yard, side yard or rear yard for the purpose of unloading a vehicle, washing a vehicle or some other similar purpose. The vehicle, however, must be removed from the front yard, side yard or rear yard once the task is completed.

(6) With regard to recreational vehicles those areas in which recreational vehicles are allowed to park pursuant to Section 5.5 C of Unified Zoning and Subdivision Control Ordinance.

(7) Those areas in which vehicles can be placed for sale pursuant to Section 4.5 D of the Unified Zoning and Subdivision Control Ordinance.

(8) In conjunction with special events (reunions, birthday parties, graduations, anniversaries, or like events) an owner of the property may obtain a permit from the Zoning Administrator which may permit parking or vehicles on yards and which would otherwise be prohibited by this section. The permit should be valid for a period of ten hours which would allow vehicles to be parked in yards for this period with no violation. The owner of the premise shall be entitled to six permits per calendar year.

(C) Restrictions for parking in rear yards.

(1) Any vehicle parked or stored in the rear yard shall be screened from view of public streets or neighboring properties.

(2) Vehicles measuring less than eight feet in height shall be screened with a minimum six-foot high fence or approved screening material. Vehicles measuring in excess of eight feet in height shall be screened with an eight-foot high fence or approved screening material. In cases where vehicles exceed eight feet in height the maximum required height of a screening fence shall not exceed eight feet. Vegetation material used for screening may exceed eight feet in height.

(D) Definitions.

CITY. City of Nappanee, Indiana.

CODE ENFORCEMENT OFFICER. Any employee of the city whose assigned duties include the enforcement of one or more of the provisions of this Code.

DRIVEWAY. A passageway for vehicles, approved by the Code Enforcement Officer composed of concrete, asphalt, or gravel that serves to connect a public street or alley to a garage or legal parking space. Legal parking areas shall be limited to 35% of the total front yard with a maximum driveway width of 30 feet at the frontage with the applicable street or alley.

FRONT YARD. The horizontal space between the nearest foundation of a building to the front lot line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the front lot line. The front yard of a corner lot shall be that yard abutting the street upon which the lot has its least frontage, except as deed restrictions may otherwise specify.

IMPROVED AREA. A section of the lot that has been altered and defined by concrete, asphalt, or gravel, with a positive boundary, for the means of providing a parking space for a vehicle. The improved area must be entered via a driveway or curb cut, except where adjacent to a paved street or alley where there is no curb.

REAR YARD. The horizontal space between the nearest foundation of a building to the rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the nearest foundation to the rear lot line. The rear yard of a corner lot shall be that yard at the opposite end of the opposite end of the lot from the front yard.

SCREENING MATERIAL. Any plant material maintaining its foliage year round (example evergreens) of sufficient density determined by the Code Enforcement Officer, or approved wood, vinyl or opaque fencing material approved by the Code Enforcement Officer. No chain link fence is a permitted use for screening purposes.

SIDE YARD. The horizontal space between the nearest foundation of a building to the side lot line and that side lot line, unoccupied other than by architectural appurtenances projecting not more than 24 inches into that space; steps or terraces not higher than the level of the first floor of the building; and open lattice-enclosed fire escapes, fireproof outside stairways and balconies projecting not over 24 inches into that space.

VEHICLE. A device in, upon, or by which a person or property is, or may be, transported or drawn upon a street, alley or highway.

(E) *Enforcement; citation; penalty.*

(1) The Code Enforcement Administrator or his designee, or any officer of the Police Department may enforce the provisions of this section. The preceding authorized persons shall be known as officer for the purposes of this section.

(2) An officer may issue a citation for a violation of this section, subjecting the violator to a fine up to \$250 for each violation. The citation shall be placed in a prominent place upon the vehicle. Each day the vehicle remains unlawfully parked shall constitute a separate violation.

(3) The citation shall be filed with the City of Nappanee Court or with any court of the competent jurisdiction in Elkhart or Kosciusko County.

(4) For the purposes of this section, the violator shall be the person to whom the unlawfully parked vehicle is registered.

(Ord. 1407, passed 12-4-07)

DESIGNATED PARKING SPACES AND LOADING ZONES

§ 73.25 INDIVIDUAL PARKING SPACES; DESIGNATION AND USE.

(A) The Board of Public Works and Safety is authorized, empowered, and directed to cause to be marked off and designated those individual parking spaces as the Board shall deem proper along the streets, designated in Chapter 75, Schedule I, in the congested area from time to time for the parking of vehicles. At any place where individual parking spaces are marked off and designated, each vehicle shall thereafter be parked within an individual parking space.

(` 83 Code, § 8-81)

(B) Notice to the public shall be given by appropriate signs setting forth the length of time for which parking is permitted and the conditions thereof. Any vehicle which remains in an individual parking space after the prescribed time for parking is determined to be illegally parked.

(` 83 Code, § 8-82)

Penalty, see § 10.99

§ 73.26 DESIGNATED BUS STOPS AND TAXICAB STANDS AUTHORIZED.

The Board is authorized to establish bus stops, bus stands, and taxicab stands on public streets in those places and numbers as it shall determine to be of the greatest benefit and convenience to the public, and every bus stop, bus stand, or taxicab stand shall be designated by appropriate signs or markings.

(` 83 Code, § 8-87)

§ 73.27 PUBLIC OFF-STREET PARKING LOT; RESTRICTIONS.

(A) The public off-street parking lot described in Chapter 75, Schedule II is designated as a public off-street parking lot and for use by all members of the public and for automobiles and other vehicles from and between the hours of 5 a.m. and 9 p.m. only.