

CO. 10-05-021

AN ORDINANCE CONCERNING SNOW ROUTES

WHEREAS, the Board of Commissioners of Vanderburgh County wish to set forth snow routes to effectuate and facilitate the efficient removal of snow and ice from county roads.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Vanderburgh County that a new Chapter 12.28 of the Code of Ordinances of Vanderburgh County, Indiana entitled “Snow Routes” is hereby established as follows:

SECTION 1. Establishment of Section 12.28.010 (Snow Routes); Section 12.28.020 (Removal of Vehicles).

Section 12.28.010 and 12.28.020 are added to Chapter 12 of the Code of Ordinances of Vanderburgh County, Indiana, and shall read as follows:

“Section 12.28.010. Snow Routes.

(a) The following streets or portions thereof are designated as priority snow routes. On a declaration by the Board of Commissioners of Vanderburgh County or the County Highway Department that a snow emergency exists due to heavy snowfall in Vanderburgh County, no parking by any vehicle shall be permitted on the priority snow routes listed below. The routes shall be designated as priority snow routes and reasonable insignias shall be placed on them to indicate to the public that they are priority snow routes.

STREET	PORTION
Covert	Warrick County Line to the City-County line
Pollack	Warrick County to Green River Road
S. Green River Road	City-County line to Old Green River Road
Burkhardt	City-County line to Dead End
Lynch	Oak Hill to I-164
Oak Grove Road	Burkhardt to Warrick County Line
N. Green River Road	City County Line to Old Petersburg Road
Oak Hill	Lynch to Whetstone
Browning	Whetstone to Old State
Petersburg	Whetstone to Boonville New Harmony
Boonville New Harmony	Posey County Line to Town of Darmstadt and Town of Darmstadt to Warrick County Line
Baseline	Posey County Line to Warrick County Line

Old State	City-County Line to Town of Darmstadt and Town of Darmstadt to Gibson County Line
Old Princeton	Darmstadt Road to Gibson County Line
Darmstadt	Kratzville Road to Town of Darmstadt and Town of Darmstadt to Old Princeton Road
Mt. Pleasant	Darmstadt to US Highway 41
Evergreen	Darmstadt to Mt. Pleasant
Kratzville	Wimberg to Darmstadt Road
Mohr	Darmstadt Road to Meier Road
Mill	Kratzville to Mesker Park
Mesker Park Drive	S.R. 65 to City-County Line
Red Bank	New Harmony Road to City-County Line and City-County Line to Nurrenbern
New Harmony	S.R. 66 to dead end excluding portion in Posey County
Kasson	S.R. 65 to Mesker Park Drive
Kuebler	S.R. 65 to Mohr Road
St. Wendel	S.R. 65 to Posey County Line
St. George	Oak Hill to City-County line
St. Joe Road	S.R. 65 to New Harmony Road
St. Joseph Ave	City-County Line to Town of Darmstadt and Town of Darmstadt to Frontage Road
Upper Mt. Vernon	.01 mile E. of Elm to Posey County Line
Hogue Rd.	City-County Line to Upper Mt. Vernon Road
Eickhoff	Middle Mt. Vernon Road to Aster Lane
Schutte	Broadway to Middle Mt. Vernon Road
Broadway	Posey County Line to City-County line
Old Henderson Rd.	Dixie Flyer Road to Golden Rule Road
Waterworks Rd.	City-County line to US Highway 41
Boehne Camp	Middle Mt. Vernon to Upper Mt. Vernon
Peerless	Middle Mt. Vernon to Upper Mt. Vernon
Harmony Way	City-County Line to New Harmony Road
Koressel Road	New Harmony to Upper Mt. Vernon Road
Marx Road	New Harmony Road to Posey County Line
West Terrace Drive	Peerless to the dead end
University Parkway (formerly Eickhoff/Koressel Road)	S.R. 62 to Upper Mt. Vernon Road

Section 12.28.020.**Removal of Vehicles.**

(a) Individuals shall be charged with the responsibility of knowing the priority of their street of residence and shall be deemed to know the same. Further, individuals shall be responsible for ascertaining the priority of the street upon which they are traveling or upon which they have become stalled and shall be deemed to know the same and shall take whatever measures necessary to remove stalled vehicles from those routes in accordance with this section.

(b) The County Highway Department and the Vanderburgh County Sheriff's Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place (including another place on a street) or to a garage designated or maintained pursuant to a contract with Vanderburgh County when:

- (1) The vehicle is parked or stalled on a street that is declared a snow route;
- (2) A snow emergency has been declared; and
- (3) The vehicle is interfering or about to interfere with snow removal operations.

(c) In the event that it is deemed by any law enforcement officer that a vehicle shall be towed for the purpose of storage, he or she shall order the vehicle towed immediately in accordance with the provisions of this section. In the event that there is an insufficient number of contract wreckers available, the Board of Commissioners of Vanderburgh County, or their designee, shall have the authority to enter into a service contract with other wrecker services for the purpose of towing vehicles during the period of snow removal operations. Vehicles shall be towed to any approved storage lot owned by a wrecker service. In the event that there is no space available on such a lot, the vehicle shall be stored at a site designated by the law enforcement officer.

(d) Whenever a vehicle has been removed from a street as authorized in this section and the appropriate agency is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such agency shall, as soon as possible, give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore and of the manner in which such vehicle may be reclaimed. In this event, any such notice shall be given to the proprietor of such storage lot or garage.

(e) Whenever an officer removes or has removed a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any reason is unable to give notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the bureau of motor vehicles and shall file a copy of such notice with the proprietor of any storage lot or garage in which the vehicle may be stored.

(f) No person shall recover any vehicle removed in accordance with this section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed

to recover it from the place where it has been placed or impounded, he shall present to a member of the appropriate law enforcement agency evidence of his identity and right to possession of the vehicle and shall:

- (1) Sign a receipt for its return;
- (2) Pay the cost of removal;
- (3) Pay any cost of storage accrued for each additional day or portion thereof thereafter.

Until paid, these charges constitute a lien on the vehicle which may be enforced in the same manner as a garage keeper's lien in accordance with the provisions of the applicable state statutes.

(g) It shall be the duty of the appropriate law enforcement agency to keep a record of each vehicle removed in accordance with this section. The record shall include:

- (1) A description of the vehicle;
- (2) Its license number;
- (3) The date and time of its removal
- (4) Location from where it was removed
- (5) Its present location
- (6) The name and address of its owner and last operator, if known;
- (7) Its final disposition; and
- (8) The parking violation involved.

(h) This section shall be supplemental to any other provisions of law granting members of the Vanderburgh County Sheriff's Department the authority to remove vehicles.

(i) Any party who received a citation for violation of any provision of this article shall pay a penalty of twenty-five (\$25.00), which is in addition to any and all other costs as provided in subsection (f) of this section. The twenty-five dollar penalty shall be deposited in the county general fund.

(j) In the event an individual feels that he has been improperly fined as a result of this section, he may enter a plea of not guilty and shall be entitled to a hearing in the court of appropriate jurisdiction.