

1 BILL NO. G-18-06-31

2
3 GENERAL ORDINANCE G-_____

4 AN ORDINANCE AMENDING CHAPTER 72:
5 STOPPING, STANDING AND PARKING OF
6 THE CITY OF FORT WAYNE, IN CODE OF
7 ORDINANCES, SECTIONS 72.00 and 72.23.

8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
9 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

10 SECTION 1. That CHAPTER 72: STOPPING, STANDING AND
11 PARKING OF THE CITY OF FORT WAYNE, IN CODE OF ORDINANCES,
12 SECTIONS 72.00, 72.23 and 72.90 shall be amended as follows:

13 Amend Section 72.00:

14 § 72.00 DEFINITIONS

15 ADD: **APPROVED PARKING SURFACE.** Consists of gravel, an area
16 paved with asphalt, concrete, pervious pavement (which may include block,
17 concrete, similar modular pavers, and grid pavers, directly connected to a
18 driveway, street or alley); or other approved all-weather hard surfaces free of
19 overgrown vegetation.

20 Amend Section 72.23:

21 § 72.23 PARKING IN RESIDENTIAL DISTRICTS.

22 (A) The only vehicles permitted to be parked in residential districts
23 in the city shall be:

24 (1) Operable automobiles, vans, panel and pick-up trucks (up to
25 one-ton), pull-trailers (up to 100 square feet), and motorcycles, and no such
26 automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up
27 to 100 square feet), or motorcycles shall be parked other than in the
28 driveway, or an approved surface directly connected to a driveway, street or
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1 alley of said residential districts. The parking, storage, or display of motor
2 vehicles on grass or other similar areas that do not have an approved
3 parking surface shall not be permitted on any property.

4 (2) Operable recreational vehicles, campers and boats, which shall
5 only be parked on an approved parking surface directly connected to the
6 driveway, street or alley of said residential district but not in the street.

7 (B) The following vehicles that are not permitted to be parked in
8 said residential districts include but may not be limited to: large pick up or
9 panel trucks over one-ton, and other large commercial vehicles, semi-trucks,
10 truck-tractors, farm tractors, road tractors, semitrailers, buses; or inoperable
11 automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up
12 to 100 square feet), motorcycles, recreation vehicles, campers and boats.

13 (C) Permitted and prohibited parking in residential districts is
14 summarized as follows ("Y" means yes; "N" means no):

<i>Parking of Vehicles in Residential Districts</i>				
	<i>Driveway</i>	<i>Street</i>	<i>Alley</i>	<i>Yard (1)</i>
<i>Division (A)(1)</i>				
Operable automobiles	Y	Y	Y	N
Operable vans (up to one-ton)	Y	Y	Y	N
Operable panel or pick-up trucks (up to one-ton)	Y	Y (2)	Y	N
Operable pull-trailers (up to 100 square feet)	Y	Y (3)	Y	N
Operable motorcycles	Y	Y	Y	N
<i>Division (A)(2)</i>				
Operable recreational vehicles	Y	N	Y	N
Operable campers, boats	Y	N	Y	N
<i>Division (B)</i>				
Inoperable automobiles	N	N	N	N
Inoperable vans (up to one-ton)	N	N	N	N
Inoperable panel and pick-up trucks (up to one-ton)	N	N	N	N
Inoperable pull-trailers (up to 100 square feet)	N	N	N	N

Inoperable motorcycles	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Inoperable recreational vehicles	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Inoperable campers, boats	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable vehicles over one-ton	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable semi-trucks	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable truck-tractors	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable farm tractors	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable road tractors	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable semi-trailers	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable pull-trailers over 100 sq. ft.	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
Operable or inoperable buses	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>
<i>(1) Yard includes back yard, side yard, parkways, curb or parkway overlap and areas that are not approved for parking.</i> <i>(2) Operable panel or pick-up trucks (up to one ton) with an overall width of more than 7'6" shall not be parked in the street.</i> <i>(3) Pull-trailers not connected/hitched to an operable vehicle shall not be parked in the street.</i>				

(D) The prohibition against parking of operable automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up to 100 square feet), and motorcycles other than in driveways, streets or alleys in residential districts in violation of § 72.22(P) and § 72.23(A)(1) and the prohibition for all inoperable vehicles and all other operable vehicles from being parked in the driveway, alley or yard of a residential district in violation of § 72.23(B) shall be enforced by the Board of Public Works, the Board of Public Safety, the Neighborhood Code Compliance, and the Police Department. All other violations of § 72.22 and § 72.23 shall be enforced by the Police Department and Parking Enforcement..

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

- 72.80 Removal and impoundment of vehicles parked in violation of provisions
- 72.81 Deposit of snow and ice from private property onto sidewalk or street prohibited

Enforcement

- 72.90 Notice of illegally parked vehicles
- 72.91 Failure to comply with notice attached to parked vehicles
- 72.92 Registered owner prima facie liable for illegal parking
- 72.93 Fine schedule; delinquent payment
- 72.94 Administrative adjudication of parking citations

- 72.99 Penalty

DEFINITIONS

§ 72.00 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESS AISLE. The space, marked by yellow and/or blue hatched lines, which is adjacent to an accessible parking space, and which meets the definition, specifications, and requirements in Indiana state law.

ACCESSIBLE PARKING SPACE. A parking space that conforms with the standards of Indiana state law.

APPROVED PARKING SURFACE. Consists of gravel, an area paved with asphalt, concrete, pervious pavement (which may include block, concrete, similar modular pavers, and grid pavers, directly connected to a driveway, street or alley); or other approved all-weather hard surfaces free of overgrown vegetation.

HOLIDAYS. Holidays refers to the official city holidays observed by the city when city offices are generally closed for business.

INOPERABLE VEHICLE. A vehicle which cannot be driven/operated upon the public streets for reasons including but not limited to being wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

MOTOR VEHICLE. A vehicle that has the meaning set forth in Indiana state law.

PARKING CITATION. A notice issued pursuant to § 72.90, and which pertains to the stopping, standing and parking of vehicles.

PARKING FACILITY. Any facility or combination of facilities for motor vehicle parking which contains parking spaces for the public.

PARKING METER. Any mechanical device or meter, not inconsistent with this division, placed or erected for the regulation of parking by authority of this division and indicating by proper legend thereon the legal parking time established for the parking meter space to which it is adjacent, the balance of the legal parking time for such space and, at the expiration of such period, that the use of such space is illegal.

PARKING METER AREA. The area or section within the city bounded by the boundaries of the city as duly established by law, and all the area, space, streets, avenues, roads, alleys, highways, lanes, paths and other public places and thoroughfares within the foregoing boundaries and inclusive of the above-mentioned streets on both sides thereof.

PARKING METER SPACE. Any space within a parking meter zone, adjacent to a parking meter and duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb adjacent thereto or upon the surface of the street upon which the same is located.

PARKING METER ZONE. Any street or portion of a street and any lot or portion of a lot upon which parking meter spaces are laid out and designated and parking meters installed.

PARTY and PARTIES. Refers to the city and respondents.

PERSON WITH A PHYSICAL DISABILITY. A person who has been issued a placard or disability license plate by the Bureau of Motor Vehicles under Indiana state law.

PUBLIC AGENCY.

(1) The State of Indiana, its departments, agencies, boards, commissions, and institutions, including state educational institutions (as defined in Indiana state law); and

(2) A county, city, town, township, school or conservancy district, other governmental unit or district, or any department, board, or other subdivision of the unit of government. This subchapter applies to a reserved accessible parking space in a parking facility that is located on property that is privately or publicly owned.

§ 72.23 PARKING IN RESIDENTIAL DISTRICTS.

(A) The only vehicles permitted to be parked in residential districts in the city shall be:

(1) Operable automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up to 100 square feet), and motorcycles, and no such automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up to 100 square feet), or motorcycles shall be parked other than in the driveway, or an approved surface directly connected to a driveway, street or alley of said residential districts. The parking, storage, or display of motor vehicles on grass or other similar areas that do not have an approved parking surface shall not be permitted on any property.

(2) Operable recreational vehicles, campers and boats, which shall only be parked on an approved parking surface directly connected to the driveway, street or alley of said residential district but not in the street.

(B) The following vehicles that are not permitted to be parked in said residential districts include but may not be limited to: large pick up or panel trucks over one-ton, and other large commercial vehicles, semi-trucks, truck-tractors, farm tractors, road tractors, semitrailers, ~~oversize vehicles, school buses, church buses;~~ or inoperable automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up to 100 square feet), motorcycles, recreation vehicles, campers and boats. ~~and trucks.~~

(C) Permitted and prohibited parking in residential districts is summarized as follows ("Y" means yes; "N" means no):

<i>Parking of Vehicles in Residential Districts</i>				
	<i>Driveway</i>	<i>Street</i>	<i>Alley</i>	<i>Yard (1)</i>
<i>Division (A)(1)</i>				
Operable automobiles	Y	Y	Y	N
Operable vans (up to one-ton)	Y	Y	Y	N
Operable panel or pick-up trucks (up to one-ton)	Y	Y (2)	Y	N
Operable pull-trailers (up to 100 square feet)	Y	Y(3)	Y	N
Operable motorcycles	Y	Y	Y	N
<i>Division (A)(2)</i>				
Operable recreational vehicles	Y	N	Y	N
Operable campers, boats	Y	N	Y	N
<i>Division (B)</i>				
Inoperable automobiles	N	N	N	N
Inoperable vans (up to one-ton)	N	N	N	N
Inoperable panel and pick-up trucks (up to one-ton)	N	N	N	N
Inoperable pull-trailers (up to 100 square feet)	N	N	N	N
Inoperable motorcycles	N	N	N	N
Inoperable recreational vehicles	N	N	N	N
Inoperable campers, boats	N	N	N	N
Operable or inoperable vehicles over one-ton	N	N	N	N
Operable or inoperable semi-trucks	N	N	N	N
Operable or inoperable truck-tractors	N	N	N	N

Operable or inoperable farm tractors	N	N	N	N
Operable or inoperable road tractors	N	N	N	N
Operable or inoperable semi-trailers	N	N	N	N
Operable or inoperable pull-trailers over 100 sq. ft.	N	N	N	N
Operable or inoperable buses	N	N	N	N
(1) Yard includes back yard, side yard, parkways, curb or parkway overlap and areas that are not approved for parking.				
(2) Operable panel or pick-up trucks (up to one ton) with an overall width of 7'6" shall not be parked in the street.				
(3) Pull-trailers not connected/hitched to an operable vehicle shall not be parked in the street.				

(D) The prohibition against parking of operable automobiles, vans, panel and pick-up trucks (up to one-ton), pull-trailers (up to 100 square feet), and motorcycles other than in driveways, streets or alleys in residential districts in violation of § 72.22(P) and § 72.23(A)(1) and the prohibition for all inoperable vehicles and all other operable or inoperable commercial vehicles from being parked in the driveway, alley or yard of a residential district in violation of § 72.23(B) shall be enforced by the Board of Public Works, the Board of Public Safety, the Neighborhood Code Compliance, and the Police Department. All other violations of § 72.22 and § 72.23 shall be enforced by the Police Department and Parking Enforcement.

(Ord. G-17-17, passed 6-27-17; Am. Ord. G-23-17, passed 9-26-17) Penalty, see § 72.99

§ 72.24 PARKING FOR CERTAIN PURPOSES PROHIBITED.

No vehicle shall stop, stand, or park upon any roadway for the principal purpose of:

(A) Displaying such vehicle for sale.

(B) Service and/or repairing such vehicle, except for repairs necessitated by an emergency.

(Ord. G-17-17, passed 6-27-17; Am. Ord. G-23-17, passed 9-26-17) Penalty, see § 72.99

§ 72.25 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

When signs are erected pursuant to this subchapter giving notice thereof, no vehicle shall be stopped, standing, or parked at any time upon any of the streets described in Schedule 7, maintained on file in the office of the Traffic Engineer.

(Ord. G-17-17, passed 6-27-17; Am. Ord. G-23-17, passed 9-26-17) Penalty, see § 72.99

§ 72.26 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

When signs are erected in each block pursuant to this subchapter giving notice thereof, no vehicle shall be stopped, standing, or parked between the hours specified in Schedule 8, maintained on file in the office of the Traffic Engineer, of any day except Sundays and holidays within the district or upon any of the streets described in Schedule 8.

(Ord. G-17-17, passed 6-27-17; Am. Ord. G-23-17, passed 9-26-17) Penalty, see § 72.99

§ 72.27 STOPPING, STANDING OR PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

When signs are erected in each block pursuant hereto giving notice thereof, no vehicle shall be stopped, standing or parked between the hours specified in Schedule 9, maintained on file in the office of the Traffic Engineer, of any day except Sundays and holidays within the district or upon any of the streets described in Schedule 9.

(Ord. G-17-17, passed 6-27-17; Am. Ord. G-23-17, passed 9-26-17) Penalty, see § 72.99

§ 72.28 PARKING TIME LIMITED ON CERTAIN STREETS.

(A) *One-hour parking.* When signs are erected in each block pursuant to this subchapter giving notice thereof, no vehicle shall be stopped, standing, or parked for longer than one hour at any time between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, except Saturdays, Sundays and holidays within the district or upon any of the streets described in Schedule 10, maintained on file in the office of the Traffic Engineer.

DIGEST SHEET

TITLE OF ORDINANCE: Ordinance Revisions to City Ordinance Chapter 72: Stopping, Standing and Parking Section 72.00 Definitions and Section 72.23 Parking in Residential Districts

DEPARTMENT REQUESTING ORDINANCE: Neighborhood Code Compliance

SYNOPSIS OF ORDINANCE: Approving Ordinance Revisions to City Ordinance Chapter 72: Stopping, Standing and Parking Section 72.00 Definitions and Section 72.23 Parking in Residential Districts

EFFECT OF PASSAGE: Decrease the amount of Blight in our City Neighborhoods and Community to further enhance Property Values in the City of Fort Wayne

EFFECT OF NON-PASSAGE: We will not be able to address the Neighborhoods concerns

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):

ASSIGNED TO COMMITTEE (CO-CHAIRS):

To: Common Council
Introduced June 26, 2018

From: Cindy Joyner, Division Director 
Community Development

Date: June 26, 2018

RE: Revision to City Ordinance Chapter 72: Stopping, Standing and Parking Section 72.00
Definitions and Section 72.23 Parking in Residential Districts

The revisions being made to Chapter 72 Section 72.00 Definitions is to further clarify the definition of an approved parking surface and Section 72.23 Parking in Residential Districts is to further clarify the types of vehicles that can be parked on private property as well as city streets.

By adapting these changes we are in alignment with the Zoning Ordinance Chapter 157.

After conducting a survey and gaining input from the Community regarding this Ordinance, we developed the attached revisions to our Chapter 72 Section 72.00 and Section 72.23 to address vehicle issues in our Neighborhoods and over all Community.

We request that you approve these Ordinance Revisions. Thank you for your attention to this important matter.