

**ORDINANCE NO. 2023-35
OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND CHAPTER 71, TITLE VII OF THE ZIONSVILLE
CODE OF ORDINANCES TO REVISE TRAFFIC REGULATIONS**

WHEREAS, the Town Council of the Town of Zionsville ("Town Council") previously adopted Ordinance 8-1979, which established the traffic code; and

WHEREAS, the traffic code has not been revised in several years; and

WHEREAS, Ind. Code § 9-21-1-2 allows the Town to adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction as long as said ordinance does not conflict with or duplicate a state statute; and

WHEREAS, the Town Council has determined that such regulation is necessary to protect the safety and welfare of the residents of the Town; and

WHEREAS, the Town Council has determined that updating the Zionsville Code of Ordinances to revise the traffic regulations is a priority of the Town.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Boone County, Indiana, meeting in regular session as follows:

Section 1. Repeal and Replace. The current provisions in Chapter 71: Traffic Regulations are repealed and replaced with the following provisions.

Section 2. Title of Chapter. The Title of the Chapter shall be "General Provisions".

Section 3. Department in Charge. The Zionsville Police Department shall have the authority to regulate and enforce the traffic code.

Section 4. Speed Regulations.

- (A) *State speed laws applicable*. The state traffic laws, including but not limited to Ind. Code § 9-21-5 *et seq.*, regulating the speed of vehicles shall be applicable upon all streets within the town, except as this traffic code, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigations that certain speed regulations shall be applicable upon specified streets or in certain areas; in which event, it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this traffic code when proper signs are in place.
- (B) *Speed limits on designated streets*. Upon the basis of an engineering and traffic investigation, maximum speed limits are hereby determined and declared reasonable and

safe on the streets (or parts of streets), described in Ch. 74, Schd. V, of this traffic code when signs are erected giving notice thereof.

Section 5. Turning Movements.

- (A) *Authority to place restricted turn signs.* The Council is hereby authorized, per Ind. Code § 9-21-1-3(10), to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours; in which event, the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.
- (B) *Limitations on turning around.* The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street.

Section 6. One-Way Streets and Alleys. Upon those streets and parts of streets in those alleys described in Ch. 74, Schd. I, of this traffic code, vehicular traffic shall move only in the indicated direction that properly erected signs designate, and movement in the opposite direction is prohibited.

Section 7. Stop and Yield Intersections. Those streets, parts of streets, stop intersections and yield intersections described in Ch. 74, Schd. II and Schd. III, of this traffic code are hereby declared to be through streets, stop intersections or yield intersections for the purpose of this traffic code.

Section 8. Driving Through Funeral or Other Processions.

- (A) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.
- (B) This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

Section 9. Limitation on Backing. The driver of a vehicle shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic.

Section 10. Clinging to Vehicles.

- (A) No person riding upon any bicycle, motorcycle, coaster, roller skates, sled, skate board or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.
- (B) This section shall not prohibit attaching a bicycle trailer or bicycle semi-trailer to a bicycle if that trailer or semi-trailer has been designed for such attachment.

Cross-reference: Use of coasters, roller skates and similar devices restricted, see §70.07.

Section 11. Muffler Requirement. No person shall operate a motor vehicle in the town without an effective muffler properly installed on such motor vehicle. No vehicle

shall be operated in said town if it has installed or is using any motor noise muffler device which fails to suppress the motor exhaust noise to a level equal to or below the noise volume achieved by the muffler equipment specified by the manufacturer of such motor vehicle.

Section 12. Parades and Processions; Permit. No funeral, procession or parade containing 200 or more persons or 50 or more vehicles, except the armed forces of the United States, the military forces of the state and the forces of the Police and Fire Departments, shall occupy, march or proceed along any street, except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

Section 13. Unsafe Acceleration. It shall be unlawful for any motor vehicle to be operated in such a manner causing the rapid acceleration of the rotation of the wheels resulting in the loss of traction or the marking of the road surface by the tires.

Section 14. Wheelies. It shall be unlawful to operate any motor vehicle in such a manner as to cause the front tire or tires to leave the surface of the road.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana as follows:

Introduced and filed on the ____ day of ____, 2023. A motion to consider on First Reading was properly made and seconded and approved by a vote of ____ in favor and ____ opposed, pursuant to Indiana Code § 36-5-2-9.4 and § 36-5-2-9.6.

A motion to consider on Second reading was properly made and seconded and approved by a vote of ____ in favor and ____ opposed, pursuant to Indiana Code § 36-5-2-9.4, § 36-5-2-9.6 or § 36-5-2-9.8 (*as applicable*).

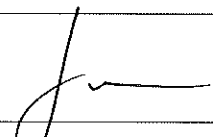
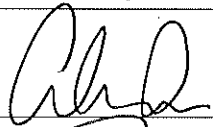
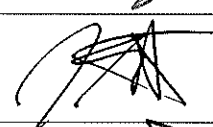
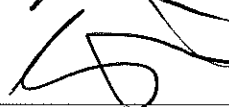
Ordinance 2023-35

DULY PASSED AND ADOPTED this 4th day of December 2023, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

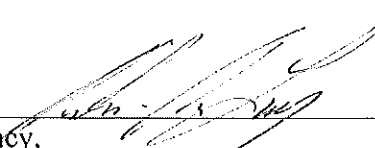
**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**YEA
Signature**

**NAY
Signature**

Jason Plunkett President		
Brad Burk, Vice-President		
Alex Choi, Member		
Joe Culp, Member		
Josh Garrett, Member		
Craig Melton, Member		
Bryan Traylor, Member		

I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the 5th day of December 2023 at 10 a.m./p.m.

ATTEST: 

Amelia Anne Lacy,
Municipal Relations Coordinator

Ordinance 2023-35

MAYOR'S APPROVAL



Emily Styron, Mayor

12 / 14 / 23
DATE

MAYOR'S VETO

Emily Styron, Mayor

DATE

CHAPTER 71: TRAFFIC REGULATIONS

Section

- 71.01 Speed regulations
- 71.02 Turning movements
- 71.03 One-way streets and alleys
- 71.04 Stop and yield intersections
- 71.05 Driving through funeral or other processions
- 71.06 Limitation on backing
- 71.07 Clinging to vehicles
- 71.08 Muffler requirement
- 71.09 Parades and processions; permit
- 71.10 Unsafe acceleration
- 71.11 Wheelies

§ 71.01 SPEED REGULATIONS.

(A) *State speed laws applicable.* The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the town, except as this traffic code, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigations that certain speed regulations shall be applicable upon specified streets or in certain areas; in which event, it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this traffic code when proper signs are in place.

(B) *Speed limits on designated streets.* Upon the basis of an engineering and traffic investigation, maximum speed limits are hereby determined and declared reasonable and safe on the streets (or parts of streets), described in Ch. 74, Schd. V, of this traffic code when signs are erected giving notice thereof.

(1996 Code, § 7-5) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.02 TURNING MOVEMENTS.

(A) *Authority to place restricted turn signs.* The Council is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours; in which event, the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

(B) *Limitations on turning around.* The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street.

(1996 Code, § 7-6) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.03 ONE-WAY STREETS AND ALLEYS.

Upon those streets and parts of streets in those alleys described in Ch. 74, Schd. I, of this traffic code, vehicular traffic shall move only in the indicated direction when proper signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

(1996 Code, § 7-7) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.04 STOP AND YIELD INTERSECTIONS.

Those streets, parts of streets, stop intersections and yield intersections described in Ch. 74, Schd. II and Schd. III, of this traffic code are hereby declared to be through streets, stop intersections or yield intersections for the purpose of this traffic code.

(1996 Code, § 7-8) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.05 DRIVING THROUGH FUNERAL OR OTHER PROCESSIONS.

(A) No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated.

(B) This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

(1996 Code, § 7-9) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.06 LIMITATION ON BACKING.

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

(1996 Code, § 7-9) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.07 CLINGING TO VEHICLES.

(A) No person riding upon any bicycle, motorcycle, coaster, roller skates, sled, skateboard or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

(B) This section shall not prohibit attaching a bicycle trailer or bicycle semi-trailer to a bicycle if that trailer or semi-trailer has been designed for such attachment.

(1996 Code, § 7-9) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

Cross-reference:

Use of coasters, roller skates and similar devices restricted, see §70.07

§ 71.08 MUFFLER REQUIREMENT.

No person shall operate a motor vehicle in the town without an effective muffler properly installed on such motor vehicle, nor shall any vehicle be operated in said town upon which is installed or being used any motor noise muffler device which fails to suppress the motor exhaust noise to a level equal to or below the noise volume achieved by the muffler equipment specified by the manufacturer of such motor vehicle.

(1996 Code, § 7-9) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.09 PARADES AND PROCESSIONS; PERMIT.

No funeral, procession or parade containing 200 or more persons or 50 or more vehicles, except the armed forces of the United States, the military forces of the state and the forces of the Police and Fire Departments, shall occupy, march or proceed along any street, except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

(1996 Code, § 7-9) (Ord. 8-1979, passed - -; Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.10 UNSAFE ACCELERATION.

It shall be unlawful for any motor vehicle to be operated in such a manner causing the rapid acceleration of the rotation of the wheels resulting in the loss of traction or the marking of the road surface by the tires.

(1996 Code, § 7-9) (Ord. passed 3-3-2014) Penalty, see § 70.99

§ 71.11 WHEELIES.

It shall be unlawful to operate any motor vehicle in such a manner as to cause the front tire or tires to leave the surface of the road.

(1996 Code, § 7-9) (Ord. passed 3-3-2014) Penalty, see § 70.99