

TITLE 9: MOTOR VEHICLES

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Article 7: Infraction and Ordinance Violation Proceedings Chapter 8: Deferral Programs

§ 9-7-8-1 INFRACTION DEFERRAL PROGRAM.

(A) The Prosecuting Attorney of Jefferson County is hereby authorized and directed to establish an infraction deferral program pursuant to I. C. 34-28-5-1.

(B) The Clerk of Jefferson County shall collect from an accused person who agrees to the conditions of an infraction deferral program, and if the deferral agreement calls for the payment of such fees:

(1) An initial user's fee set by I.C. 33-37-4-2;

(2) A monthly user's fee set by I.C. 33-37-4-2 for each month the person remains in the infraction deferral program;

(3) Applicable fees under I.C. 33-37-5; and

(4) A moving traffic offense court cost set by I.C. 34-28-5-1, if the infraction or violation is a moving traffic offense.

(C) All money collected by the Clerk as user's fees shall be deposited in an Infraction Deferral Fund and may only be used as the Prosecuting Attorney directs for the infraction deferral program.

(D) Any money remaining in the fund at the end of the year does not revert to any other fund but shall continue in the Infraction Deferral Fund.

(Ord. 2011-4, passed 2-17-2011)

Article 20: Size and Weight Regulation Chapter 1: Weight Limit Restrictions

§ 9-20-1-1 VEHICLE SIZE OR WEIGHT RESTRICTIONS.

(A) This county code section is adopted pursuant to the general corporate powers of the county and the Board, including those powers set forth and contemplated by I.C. 9-20, 9-21, 36-1-3-8, 36-1-4-11, 36-1-6-3 and 36-2-4.

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(B) The state laws establishing or regulating load or weight limits for vehicles operated or driven on public streets, highways or bridges apply to all public streets, highways or bridges within the unincorporated areas of the county except in the circumstances where, as properly authorized by state law, those limits have been altered by the Board on the basis of an engineering and traffic investigation, which has determined the alteration to be necessary to preserve that roadway.

(C) All engineering studies and investigations conducted by the County Highway Department or any other county government agency or division adopted before 4-7-1986, and confirmed by the Board, except those studies rejected or superseded, are ratified, confirmed and approved in all respects, and made the basis of establishment of the regulations of load or weight limits for vehicles on public streets, highways, roads and bridges within the county as stated in this code section.

(D) The placement of signs, pursuant to engineering studies and investigations, setting forth the total load or weight limits, as established by the Board before 4-7-1986, and determined to be necessary, safe and reasonable on certain streets, highways or bridges, or portions thereof, within the county are ratified, confirmed and approved in all respects. The placement and retention of those signs where set is specifically authorized and contemplated by this section.

(E) An alphabetical and numerical listing of each street, highway or bridge, or a portion thereof, in the county upon which or as to which a specific load or weight limits has been established by the Board, has been compiled. That list, known as the "County Load and Weight Limits", sets and establishes the maximum prima facie load or weight as to each vehicle or any combination of vehicles being driven or operated upon those streets, highways, and bridges, and is incorporated by reference in this code section. As used in this list, "CR" refers to county road.

(F) (1) Two true and accurate copies of the list described herein shall be filed in the office of County Auditor for public inspection.

(2) All changes in that list by the Commissioners made following the required engineering studies or investigations shall be attached to the list by the County Auditor.

(3) The County Auditor may forward a certified copy of the list and any subsequent changes to all courts that hear or adjudicate violations of this code section.

(G) (1) The County Highway Department may also erect and maintain signs at each end of certain highways and intersections stating that those highways are subject to "Frost Law" restrictions.

(2) These signs shall state what types of vehicles are prohibited and the period for which a stated road weight limit is in effect. The Board may, by resolution adopted each year, direct that these signs be posted for no more than 90 days in any calendar year.

(H) (1) Any person who owns, operates or drives a vehicle or combination of vehicles upon a public street, highway or bridge, or a portion thereof within the unincorporated areas of the county, with the total weight of that vehicle or combination of vehicles in excess of any load or weight limit set forth in this code section, shall be deemed guilty of an ordinance violation and, upon conviction, shall be fined or have a judgment entered against the person, in an amount not to exceed \$500.

(2) That person is subject to any further punishments or penalties deemed proper by the court that hears or adjudicates violations of this code section, as prescribed by I.C. 9 and 34-4-32-4.

(I) (1) The provisions of this code section are penal in nature.

(2) No cause of action, claim, suit, responsibility or liability otherwise accruing to the Board or any department, agency, instrumentality or division of the county government, shall be modified, reduced, terminated or affected in any fashion by virtue of the assessment of a fine, the entry of a judgment, or the imposition of any other form of punishment by any court acting pursuant to this code section.

(J) The provisions of I.C. 9-20-18 dealing with the impoundment of vehicles and posting of bond until liability as established by the court pursuant to this code section has been satisfied, and the sale of vehicles, if the liability not been satisfied, are incorporated by reference and made a part of this code section.

<i>County Load and Weight Limits</i>		
<i>Highway</i>	<i>Location</i>	<i>Limit in Pounds</i>
All gravel roads	.	5,000
	(Ord. 1980-1, passed 2-25-1980)	
All bridges	With less than 16,000 pounds carrying weight	
	(Ord. 1984-5, passed 7-16-1984)	

(Ord. 1986-2, passed 4-7-1986)

Statutory reference:

Unlawful acts; transport operators, see I.C. 9-20-1-1

Article 21: Traffic Regulation
Chapter 1: Special Restrictions

§ 9-21-1-1 SCHOOL PROPERTY.

(A) *Authority.* The following regulations are adopted pursuant to the Board’s power under I.C. 9-21 to enter into agreements to enforce traffic regulations on school property.

(B) *Speed limits.* The following areas shall be subject to a 20 mph speed limit, to be enforced as all other speed limits under County Code § 9-21-5-6:

(1) The road leading to Deputy School;

(2) The street entering the Dupont Elementary School and running parallel to the School Building; and

(3) The circle and south drive of Canaan School.

(C) *Motorcycles.* No motor vehicle, motorcycles or motor bikes shall be permitted on the basketball court or playground equipment areas at the Canaan School.

(D) *School buses.* The road running across the north side of the Central School grounds shall be used only by school buses.

(Ord. passed 7-19-1976)

Statutory reference:

Traffic authority, see I.C. 9-21-1-1

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Article 21: Traffic Regulation Chapter 4: Traffic Control Devices

§ 9-21-4-1 PREFERENTIAL HIGHWAYS.

(A) The Board establishes and designates certain public highways in the county, which, as the most frequently traveled, constitute thoroughfares to and from cities and towns, as preferential highways.

(B) All highways and roads intersecting any preferential highways shall be clearly marked, at every intersection, with stop signs to warn all vehicles using the intersecting highway or road to stop before crossing or entering any preferential highway.

(C) For purposes of this county code section, **CR** refers to county road.

(D) A person who violates any provision of this county code section shall be deemed to have committed an ordinance violation and, upon conviction, shall be fined not more than \$500 for each offense.

<i>Preferential Highways</i>		
<i>Road</i>	<i>Location</i>	<i>Ordinance</i>
Boercherding Road (a/k/a Airport Road)	Stops for Chicken Run Road	Ord. 1993-3, passed 7-2-1993

(Ord. 1986-2, passed 4-7-1986; Ord. 1993-3, passed 7-2-1993; Ord. 1996-, passed - -1996)

Statutory reference:

Traffic control manual, see I.C. 9-21-4-1

§ 9-21-4-2 FOUR WAY STOPS.

(A) The following highways and road intersections shall be clearly marked with stop signs as a four way stop (or a three way stop, where appropriate) to warn all vehicles entering the intersection of the highway or road to stop before crossing or entering the intersection.

(B) For purposes of this county code section, the abbreviation **CR** indicates county road.

(C) A person who violates any provision of this county code section or who does not comply with a sign indicating a four way stop or a three way stop shall be deemed to have committed an ordinance violation. This violation shall be a Class C infraction.

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<i>County Three Way Stops</i>	
CR 200 North and CR 1700 West	Ord. passed 5-4-1990
CR 300 North and CR 550 West	Ord. passed 5-4-1990
CR 300 North and CR 1550 West	Ord. passed 5-4-1990
Dugon Hollar and Telegraph Hill Road	Ord. passed 6-29-1990
Franks Drive and Miles Ridge Road	Ord. passed 10-5-1990

<i>County Four Way Stops</i>	
CR 100 North and Airport Road	Ord. passed 5-4-1990
CR 300 East and CR 300 North (Cedar Corner)	Ord. passed 5-4-1990
CR 300 East and Rykers Ridge Road (Town of Brooksborg)	Ord. passed 5-4-1990
CR 400 North and Graham Road	Ord. passed 6-29-1990
CR 400 North and Wilson Avenue	Ord. passed 5-4-1990
CR 450 West and CR 500 South	Ord. passed 5-4-1990
CR 600 South and CR 600 West	Ord. passed 5-4-1990
CR 600 South and CR 850 West	Ord. passed 5-4-1990
CR 1000 North and Jake Gayle Road	Ord. passed 5-4-1990
Dawson Smith Road and Paper Mill Road	Ord. passed 5-4-1990
Hutchinson Land and Wilson Avenue	Ord. passed 5-4-1990

(Ord. 1990-, passed 5-4-1990; Ord. passed 6-29-1990; Ord. passed 10-5-1990; Ord. 1992-7, passed 11-25-1992; Ord. 1993-2, passed 7-2-1993; Ord. 1996-, passed - -)

Statutory reference:

Traffic control signs, see I.C. 9-21-4-2

§ 9-21-4-3 ONE WAY STREETS.

The following street shall be declared to be a one way street on a periodic basis:

(A) This applies to Pearl Street in the Town of Deputy, Indiana. Vehicular traffic on Pearl Street in the Town of Deputy, Jefferson County, Indiana, between Corporation Street and Main Street shall be

a one way street restricted to traffic traveling in a south or southerly direction only during the hours when solid waste is being collected at the attended solid waste drop-off site adjacent to Pearl Street.

(B) Pearl Street shall be a two way street at all other times.

(C) The Jefferson County Highway Department shall post the status of Pearl Street as a periodic one way street in accordance with this section.

(D) Any person who violates this section by driving against the designated flow of traffic at a time when Pearl Street is a one way street, shall be guilty of an ordinance violation constituting a Class C infraction.

(Ord. 2007-4, passed 5-24-2007)

Article 21: Traffic Regulation
Chapter 5: Speed Limits

§ 9-21-5-1 PROHIBITION OF BICYCLES AND SKATEBOARDS SURROUNDING THE COURTHOUSE SQUARE.

No bicycle, roller skates, roller blades or skateboards shall be ridden or propelled on any sidewalk, or wall adjacent to the sidewalk on the Courthouse Square, in Madison, Jefferson County, Indiana. Any violation of this section shall be a Class C infraction.

(Ord. 2001-10, passed 10-18-2001)

§ 9-21-5-6 SPEED LIMITS.

(A) This section is adopted pursuant to the general corporate powers of the county and the Board including those powers set forth and contemplated by I.C. 9-21-1, 36-1-3-8, 36-1-4-11, 36-1-6-3 and 36-2-4-1 *et seq.*

(B) The state laws establishing or regulating speed limits for vehicles operated or driven on public streets or highways apply to all public streets or highways within the unincorporated areas of the county, except in circumstances where, as properly authorized by state law, the limits have been increased or decreased by the Board on the basis of an engineering and traffic investigation which has determined the increase or decrease to be safe and reasonable.

(C) All engineering studies and investigations conducted before 4-7-1986 by the County Highway Department or any other agent, agency or division of the county government, adopted and confirmed by the Board before 4-7-1986, except those studies before 4-7-1986 rejected or superseded, are ratified,

confirmed and approved in all respects, and made the basis of the establishment of the regulation of speed limits for vehicles on public streets and highways within the County. Further, the placement of signs, pursuant to the engineering studies and investigations, which signs set forth speed limits, as established by the Board before 4-7-1986 and determined to be safe and reasonable, on certain streets or highways, or portions of streets or highways, within the county are in all respects ratified, confirmed and approved. The placement of the signs and the retention of the signs in the places so set, is specifically authorized and contemplated by this section.

(D) An alphabetical or numerical listing of each street or highway, or portions thereof, in the county upon which the speed limit has been increased or decreased by the Board has been compiled, and is known as the "County Speed Limits".

(E) (1) The list as existing on 4-7-1986, or as amended after 4-7-1986, sets and establishes the maximum prima facie speed limit for the operation or driving of vehicles on the streets and highways described in the list, and is incorporated by reference into this code section. Two true and accurate copies of this list shall be filed in the office of the County Auditor, who shall make these listings available for public inspection.

(2) All changes in the listing adopted by the Board, after the engineering studies or investigations shall be promptly attached to the list by the County Auditor. The County Auditor may forward a certified copy of the listing and any subsequent changes to any court that hears or adjudicates violations of county speeding ordinances.

(F) As used in the list described in subsection (D) above:

CR. Refers to County Road.

MPH. Refers to miles per hour.

SR. Refers to State Road.

(G) (1) A person operating or driving a vehicle upon a public street or highway, or a portion of a street or highway, within the unincorporated areas of the county in excess of the speed limit on the street or highway, as established by this code section and as set forth in the "county speed limits", when signs are in place giving notice of the speed limits, commits an ordinance violation and, upon conviction, shall be fined, or have a judgment entered against that person in an amount not less than \$1, nor more than \$100 in addition to court costs.

(2) That person is subject to any additional punishments or penalties deemed proper by the court that hears or adjudicates violations of this code section in accordance with the provisions of I.C. 9 and 34-4-32-4.

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<i>Jefferson County Speed Limits Numerical Listings</i>			
<i>County Road Number</i>	<i>Locations</i>	<i>Speed in Mph</i>	<i>Ordinance</i>
CR 55 East	From State Road 56 to Pleasant Ridge Road	30	Ord. passed 11-6-1980
CR 100 South	Entirety	40	Ord. 1984-7, passed 11-19-1984
CR 320 West	From Marble Hill Road to county line	35	Ord. passed 9-20-1982
CR 400 North	From State Road 62 to U.S. Road 421	30	Ord. passed 9-2-1980
CR 425 North	Within 1,000 feet of CR 1230 West	35	Ord. 1992-5, passed 8-21-1992
CR 600 West	From its intersection with State Road 56 and 62 to the corporate limits of the Town of Hanover	30	Ord. 1985-1, passed 4-15-1985
CR 700 West	From State Road 256 to State Road 56 and 62	30	Ord. 1977-1, passed 10-17-1977
CR 1000 South	Entirety	40	Ord. 1977-1, passed 10-17-1977
CR 1230 West	From CR 400 North to CR 425 North	35	Ord. 1992-5, passed 8-21-1992
<i>Jefferson County Speed Limits Alphabetical Listings</i>			
<i>County Road Number</i>	<i>Locations</i>	<i>Speed in Mph</i>	<i>Ordinance</i>
All roads	Except as otherwise posted	35	Ord. 1988-2, passed 4-22-1988
Conservation Club Road	From its intersection with CR 933 West thence 3,168 feet to a point where it enters a circular drive	30	Ord. passed 9-20-1982
	The circular drive beginning and ending at the Conservation Club Road	20	Ord. passed 9-20-1982
Deputy Pike	From State Road 7 to CR 700 West	40	Ord. 1984-6, passed 9-17-1984
Franks Drive	Entirety	20	Ord. passed 6-21-1976
Grange Hill Road	From State Road 256 to its end	30	Ord. 1983-3, passed 10-17-1983
Greenbriar Road	From its intersection with State Road 56 and 62 to the corporate limits of the Town of Hanover	30	Ord. 1985-1, passed - -1985; Ord. passed 4-15-1985
	From Kuntz Road to October Street	30	Ord. passed 10-18-1982
Hatcher Road	All outside of the City of Madison	20	Ord. passed 2-24-1976
Lonnis Hill Road	Entirety	35	Ord. 1992-6, passed 11-25-1992

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<i>Jefferson County Speed Limits Alphabetical Listings</i>			
<i>County Road Number</i>	<i>Locations</i>	<i>Speed in Mph</i>	<i>Ordinance</i>
Manville-China Road	From Brooksbury-Manville Road northwest to a point 500 feet northeast of the Manville Store	15	Ord. 1988-1, passed 3-25-1988
Paynesville Road	All outside of the Town of Hanover	40	Ord. passed 2-1-1982
Pleasant Ridge Road	From CR 55 East to Central School	30	Ord. passed 11-6-1980
Telegraph Hill Road	From Duggan Hollow Road to Madison City limits	35	Ord. 1987-1, passed 1-30-1987
Thompson Road	From State Road 56 and 62 to CR 200 North	35	Ord. 1984-4, passed 7-16-1984
Warman Road	Entirety	35	Ord. passed 7-7-1980

Statutory reference:

Speed limits, see I.C. 9-21-5-6

§ 9-21-6-1 NO PARKING AREA ON COUNTY ROADS.

(A) There shall be no parking on any of the following county roads directly in front of a mail box or within ten feet either side of a mail box: all county roads in the Country Manor Subdivision.

(B) Violation of this provision shall constitute a Class C infraction.
(Ord. 2010-3, passed 3-18-2010)

Article 21: Traffic Regulations
Chapter 14: Off-Road Vehicles

§ 9-21-14 OFF-ROAD VEHICLES.

(A) “Off-road vehicles”, as defined in I.C. 14-16-1-3 *et seq.*, may use county roads, outside the corporate limits of any city or town.

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(B) No person shall operate an “off-road vehicle”, as defined in I.C. 14-16-1-3 *et seq.*, without a valid motor vehicle driver’s license.

(C) No use otherwise prohibited by state law shall be permitted on county roads including, but not limited to, the prohibitions found under I.C. 14-16-1-2.3.

(D) A person who operates an “off-the road vehicle” on county roads shall comply with all the conditions of I.C. 14-16-1-3 *et seq.*, and, specifically with the requirements of I.C. 14-16-1-20. (Ord. 1997-2, passed 4-4-1997)