

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. **1322**

BEING AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE TOWN OF ST. JOHN, AND MORE PARTICULARLY,
THE PARKING REGULATIONS OF THE SAME

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did, on July 9, 1990, pass in entirety a zoning ordinance for the Town of St. John, Lake County, Indiana; and

WHEREAS, the foregoing zoning ordinance contains certain parking regulations under Title III-General Provisions including, but not limited to, Section H: Off-Street Parking Requirements; Section I: Schedule of Minimum Parking Spaces; Section J: Off-Street Parking Space Layout, Standards, Construction, and Maintenance; and Section K: Handicapped Parking; and

WHEREAS, the Plan Commission has been reviewing additions and deletions that should be implemented with regard to parking regulations and has been aided and assisted by the St. John Police Commission in the same; and

WHEREAS, the Plan Commission has prepared and created supplemental parking regulations which are intended to be in addition to the parking provisions aforesaid, and are intended to control in the event of a conflict with any and all parking regulations within the Town of St. John; and

WHEREAS, the Plan Commission has held a public hearing on the 19th day of November, 2003 to consider the advisability and necessity of amending said parking regulations of the Zoning Ordinance of the Town of St. John as aforesaid; and

WHEREAS, the Plan Commission has determined that it would be in the best interest of the residents of the Town of St. John and will foster the public health, safety, convenience, and general welfare to amend the Zoning Ordinance aforesaid and adopt the supplemental parking regulations set forth herein and to make the deletions from other provisions of the existing zoning ordinance; and

WHEREAS, the Plan Commission, after public hearing to consider the advisability and necessity of amending the parking regulations of the Zoning Ordinance aforesaid has made a favorable recommendation for passage of the same to the Town Council pursuant to Indiana statute and has entered Findings of Fact on the same; and

WHEREAS, the Plan Commission and the Town Council in considering this amendment to the parking regulations and the Zoning Ordinance have given due consideration to the St. John Comprehensive Plan, current conditions and the character of current structures and uses in each zoning district, the most desirable use for which the land in each district is adopted, the conservation of property values throughout the jurisdiction of the Town, and responsible development and growth in Town; and

WHEREAS, the Town Council has reviewed the favorable recommendation of the Plan Commission and has further reviewed the advisability and necessity of amending the terms and provisions of the parking regulations of the Town of St. John and has determined that the amendment of said parking regulations and the Zoning Ordinance in respect thereto would be in the best interest of the residents of the Town of St. John and will foster the public health, safety, convenience, and general welfare of said residents, and that current Section H1. and 3. should be

deleted in entirety and a new Section L, designated Supplemental Parking Regulations as set forth below should be added and implemented.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, that a new and additional Section L, designated "Supplemental Parking Regulations" shall be added to the Zoning Ordinance of the Town of St. John, more particularly, Title III-General Provisions which shall read as follow to-wit:

Section L Supplemental Parking Regulations

1. PURPOSE

The purpose of this ordinance is to regulate the parking and/or storage of any type of conveyance or vehicle, which is constructed on one or more axles and wheels, whether such conveyance is used for transport of passengers, goods or materials. The Town of St. John and contractors acting under the authority of the Town of St. John are exempt.

2. GENERAL PROVISIONS

For the purpose of this ordinance the term "vehicle" shall apply to any and all types of conveyance, including but not limited to, automobiles, trucks, vans, campers, motor-homes, recreational vehicles, trailers, buses, and other such conveyance designed to transport passengers, goods or materials. Unless stated otherwise, the provisions of this regulation shall apply to all zoning districts.

- A. Unless stated otherwise in this ordinance, all types of vehicles shall only be parked on a solid, hard paved surface consisting of asphalt, concrete, paving blocks or similar materials. Gravel, stone and other loose materials are not considered solid, hard paved surfaces.
- B. No vehicle may be parked in a manner to obstruct any part of a sidewalk, including that part of a sidewalk that intersects a driveway.
- C. No vehicle may be parked in the public right-of-way except on the paved street surface.
- D. A vehicle may be parked in a side yard, as defined by the Zoning Ordinance, provided a minimum setback of three feet (3') is maintained.
- E. No vehicle may be parked in the rear yard, as defined by the Zoning Ordinance, unless specifically stated otherwise in this ordinance. Exception: a vehicle may be parked on a solid, hard paved driveway that extends into the rear yard and into a garage, or may be parked inside a detached garage located in such rear yard.
- F. No vehicle may be parked in the vicinity of a mailbox during mail delivery times so as to impede or prevent mail delivery from the postal delivery vehicle.

- G. Unless a permit is issued, no conveyance, equipment or device designed for a purpose other than transport of passengers, goods or materials may be parked or stored on a public street, open to public traffic, unless stated otherwise in this ordinance. This includes bulk materials, crates, and construction equipment, unless that construction equipment is currently in use for construction purposes on the premises.
- H. Vehicles are prohibited from parking outside of an enclosed building on property zoned residential if their purpose is principally storage.
- I. All vehicles, when parked on a street, must be directed (pointed) with the flow of traffic.
- J. No vehicle may be parked in such a manner that would obstruct ingress/egress of a driveway.
- K. No vehicle may be parked on any part of a curb that rises above the level of the street surface. It is permissible to park on the horizontal portion of the curb that is immediately adjacent to the edge of the paved street surface.
- L. When parked on a public street, no part of a vehicle, including its load, may: Extend more than seven feet (7') into the street, or extend longer than twenty-two feet (22') in length along the street, except when provided elsewhere in this ordinance.

3. TRAILERS

- A. Trailers are prohibited from parking on a public street except when loading and unloading goods or materials, and then for a period not to exceed four (4) hours in any day, unless a permit has been issued. When parked on a public street, trailers must be safely hitched to a towing vehicle with the trailer's wheels blocked on all sides to prevent rolling. For purposes of this subsection only, the maximum allowable length along a street, of the trailer and towing vehicle combined, shall not exceed thirty-three feet (33').
- B. Trailers in use for moving into or out of the premises may be parked on a public street for a maximum of twelve (12) hours in any day, unless a permit has been issued.

4. SEMI TRACTOR / TRAILER

- A. Unless a permit is issued, semi tractors, with or without their trailers, are prohibited from parking on any public street, except:
 1. While loading or unloading goods or materials, for a period not to exceed four (4) hours in any day.
 2. While in use for construction or moving into or out of a premises, for a period not to exceed twelve (12) hours in any day.

TERMINAL

- B. Overnight parking of semi tractors, with or without their trailers, is permitted only in industrial zoning districts and in commercial zoning districts designated as a truck stop. Overnight parking of such vehicles in other zoning districts, and under other circumstances, is allowable only with a permit.

5. BUSES

- A. This section applies to buses designed to transport sixteen (16) or more passengers.
- B. Buses are prohibited from parking on public streets except while loading and unloading passengers, and then for a period not to exceed one (1) hour in any day.
- C. Buses are prohibited from parking on driveways, side yards, and rear yards in residential zoning districts.

6. RECREATIONAL VEHICLES

- A. Unless a permit has been issued, motorized recreational vehicles may be parked on driveways in residential zoning districts for up to ten (10) days in any calendar month April through October and up to two (2) days in any calendar month November through March, as long as they are not parked primarily for storage.
- B. Motorized recreational vehicles more than seven feet (7') in height are prohibited from being parked on any public street except while loading and unloading, and then for a maximum of four (4) hours in any day.

7. COMMERCIAL VEHICLES

- A. This section applies to any vehicle used for commercial purposes, which is in excess of twenty-two (22') long, seven feet (7') wide or seven feet (7') high.
- B. Unless a permit has been issued, commercial vehicles may be parked on any public street or paved driveway in a residential zoning district only:
 - 1. While loading and unloading deliveries or materials, for a period not to exceed four (4) hours in any day, or
 - 2. While in use for construction on the premises, for a period not to exceed twelve (12) hours in any day.

Exception: A pick-up truck with a snow plow attached may park on a private driveway, not withstanding the other provisions of this regulation, providing said vehicle does not exceed twenty-five feet (25') in overall length.

- C. Commercial vehicles may be parked anywhere on a lot except the unpaved public right-of-way or a sidewalk while construction of a new structure is in process if no prior occupancy permit has been issued for that lot.

8. ROLL-OFF / TRASH CONTAINERS

- A. This section applies to any commercial or industrial equipment designed to store or transport trash or refuse.
- B. Roll-off / trash containers are permitted to be placed on public streets in any zoning district only when:
 - 1. A driveway is being replaced, and
 - 2. Appropriate blocking under or below the dumpster is used to protect the surface of the public street from damage, and
 - 3. The container does not extend more than seven feet (7') into the street, nor extend longer than twenty-two feet (22') along the street, and
 - 4. The container is not parked on the curb, nor on any part of the right-of-way that is not paved, and
 - 5. Appropriate reflective markings, markers, cones or barricades are utilized, so as to not cause a traffic hazard.
- C. Roll-off / trash containers are permitted to be placed on a paved driveway in a residential zoning district while construction or remodeling is being performed on an existing structure, but may not be placed on any portion of a sidewalk or unpaved right-of-way.
- D. Roll-off / trash containers may be placed anywhere on a lot except on a sidewalk or unpaved right-of-way, while construction of a new structure is in process if no prior occupancy permit has been issued for that lot.

9. INOPERABLE VEHICLES

- A. Vehicles deemed inoperable or not road-worthy are prohibited from being parked on public streets in any zoning district, except when parked wholly within an enclosed garage.

10. PERMIT ISSUANCE

- A. Any permit issued pursuant to the terms and provisions of this ordinance shall be issued through the Town of St. John Police Department.

11. ENFORCEMENT

- A. This ordinance may be enforced by the St. John Police Department, the St. John Building Commissioner, the St. John Code Enforcement Officer, or their duly authorized representatives.

BE IT FURTHER ORDAINED that Section H1. and H3. under Section H: Off-Street Parking Requirements are deleted from the Zoning Ordinance in entirety.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 30th day of November, 2003.

Aye 4 Nay 0

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

Michael S. Forbes
MICHAEL S. FORBES, President

Kristie L. Aldridge
KRISTIE L. ALDRIDGE

William M. Winterhaler
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Jerome J. Rudy
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Gregory J. Volk
GREGORY J. VOLK

ATTEST:

Sherry P. Sury
SHERRY P. SURY, Clerk-Treasurer