

# **Town Ordinances Town of Rocky Ripple**

Structure:

## Title 1: Miscellaneous Provision

### Article 1: Repeal of Previous Ordinances

#### Chapter: 1 Repeal of Previous Ordinances

##### Section 1: Repeal of Previous Ordinances

### Article 2: Authority

#### Chapter 1: Issuance of Complaint and Summons

##### Section 1: Persons authorized to Issue Complaint and Summons

#### Chapter 2: Police Department

##### Section 1: Police Department

##### Section 2: Police Commissioner

##### Section 3: Meetings

#### Chapter 3: Governmental Operations

##### Section 1: Board of Trustees and President

### Article 3: Fines

#### Chapter 1: Fines

##### Section 1: General Penalty

### Article 4: Licensing

#### Chapter 1: Licensing

##### Section 1: Licensing authority

### Article 5: Miscellaneous

#### Chapter 1: Miscellaneous

##### Section 1: Violations

## Title 2: Public Safety and Order

### Article 1: Traffic Violation

#### Chapter 1: Moving Regulations

##### Section 1: Speed Limit Defined

##### Section 2: Speeding Certain Streets

##### Section 3: stop or Yield Signs Defined

##### Section 4: Stop or Yield Sign Violations

##### Section 5: Exemptions

##### Section 6: One-Way Streets

##### Section 7: Controlled Intersections

##### Section 8: Leaky Load

##### Section 9: Unlawful Acts

##### Section 10: Mufflers

##### Section 11: Muffler "Straight Pipes"

##### Section 12: Hazardous Driving

##### Section 13: Unreasonable Smoke from Vehicle

#### Chapter 2: Operating Restrictions

##### Section 1: Obedience to Police and Fire Officials

##### Section 2: Duty Upon Approach of Authorized Emergency Vehicle

##### Section 3: Signaling Devices

##### Section 4: Weight Limits

#### Chapter 3: Parking Violations

##### Section 1: Prohibited Parking

##### Section 2: Commercial Vehicles

##### Section 3: Trailers

##### Section 4: Abatement

##### Section 5: Liability for Fines

#### Chapter 4: Public Travel

##### Section 1: Interfering with Public Travel

# **Town Ordinances**

## **Town of Rocky Ripple**

- Article 2: Emergency Scenes
  - Article 2: Emergency Scenes
    - Chapter 1: Emergency Scenes
      - Section 1: Public Safety Controlled Zones
      - Section 2: Fire Lines and Limits
  - Article 3: Nuisances
    - Chapter 1: Noise Violations
      - Section 1: Unlawful Noises
      - Section 2: Disturbing the Peace
    - Chapter 2: Litter
      - Section 1: Littering
      - Section 2: Neglect of Premises
    - Chapter 3: Public Nuisances
      - Section 1: Public Nuisances
      - Section 2: Weeds
      - Section 3: Weed Remedy
      - Section 4: Peddlers
      - Section 5: Structural Nuisances
      - Section 6: Panhandlers
      - Section 7: Loitering
      - Section 8: Building Nuisances
      - Section 9: Repairing Vehicles on Street
      - Section 10: Abandoned Vehicles
      - Section 11: Duties of Property Owner
    - Chapter 4: Animal Control
      - Section 1: Animal Nuisances
      - Section 2: Prohibited Animals
      - Section 3: Animals at Large
      - Section 4: Abatement of Nuisance
    - Chapter 5: Waterways
      - Section 1: Pollution of Waterways
  - Article 4: General Safety
    - Chapter 1: Prohibited Items
      - Section 1: Firearms and Explosives
      - Section 2: Fireworks
    - Chapter 2: Refrigerators
      - Section 1: Abandoned refrigerators
    - Chapter 3: Offenses against Governmental Authority
      - Section 1: False report of crime
      - Section 2: Questioning of suspicious persons
    - Chapter 4: Offenses against Persons
      - Section 1: Assault
  - Article 5: Burning
    - Chapter 1: Burning
      - Section 1: Open Burning
      - Section 2: Bonfires, Campfires and Comfort Fires
- Title 3: Public Welfare
- Article 1: Dumping
    - Chapter 1: Dumping
      - Section 1: Unlawful Dumping
  - Article 2: Town Parks
    - Chapter 1: Town Park
      - Section 1: Hours of Operation
      - Section 2: Alcohol in Park
      - Section 3: Unlawful activity

# **Town Ordinances Town of Rocky Ripple**

Section 4: Gambling  
Section 5: Firearms in park  
Section 6: Vehicles Prohibited in Park

Article 3: Curfew

Chapter 1: Curfew

Section 1: Curfew for fifteen, sixteen and seventeen year olds  
Section 2: Curfew for children under fifteen  
Section 3: Application  
Section 4: Enforcement  
Section 5: Parental Responsibility  
Section 6: Miscellaneous Provisions

1-1-1

Sec. 1: Any and all previous ordinances issued by the town counsel of Rocky Ripple prior August 8, 2000 is hereby repealed.

1-2-1

Sec. 1: Any law enforcement officer authorized by the state of Indiana to issue a complaint and summons in regards to either state infractions or city or town ordinances are hereby granted authority to enforce the ordinances of the town of Rocky Ripple.

1-2-2

Sec. 1: The town shall have a Marshal's service for the Town of Rocky Ripple. The Marshal shall have all powers granted him by Common and Statutory Law and shall have general police authority. The Marshal will be empowered to appoint Deputy Marshal's to serve at the will of the Marshal subject to any limitations of the Town Board. The Deputy Marshal's shall enjoy the same police authority as the Town Marshal. The Town Counsel shall determine the number Deputy Town Marshal's and reviewed annually to determine if the current number is adequate for the town's needs. The Town Marshal and his deputies shall enjoy any and all authority granted by IC 36-5-7-4.

Sec. 2: The President of the Board of the Town Trustees of the Town of Rocky Ripple may be designated as the Public Safety Commissioner of the Town of Rocky Ripple. It shall be his or the appointed trustee's duty to observe the operation of the Town Police Department.

Sec. 3: The Board of Town Trustees may meet at least once a quarter, in special session, with the Town Marshal and the Town Police Department. The purpose of the meeting shall be to discuss the activities of the Police Department and any problems that may exist.

1-2-3

Sec. 1: (a) The board of trustees elected under the provisions of Indiana Code 36-5-2 et seq. and this chapter is the legislative body of the Town of Rocky Ripple.

(b) The president of the board of trustees selected under Indiana Code 36-5-2-7 is the town executive.

(c) The legislative body of the Town of Rocky Ripple shall consist of three members and a Clerk-Treasurer. Members of the legislative body must reside within the Town of Rocky Ripple as provided in Indiana Code 36-5-2-6. A Member of the legislative body forfeits office if the member ceases to be a resident of the Town of Rocky Ripple as provided in Indiana Code 35-5-2-6.

# Town Ordinances Town of Rocky Ripple

1-3-1

Sec. 1: For any violations of the Town of Rocky Ripple Ordinances, the fines shall not exceed twenty-five hundred dollars (\$2,500.00) as provided for in IC 36-1-3-8. For any violation where no fine is given the fine shall be not less than twenty-five (\$25.00) for parking violations and not less than one hundred dollars (\$100.00) for all other violations.

1-4-1

Sec. 1: The town board has the power to issue any license or permit as maybe defined in this code, and the town board also has the power to authorize the police officers of the Town of Rocky Ripple to issue said licenses for a fee that shall be approved by the town board. Any and all monies collected by the town police officers shall be issued a receipt and forwarded to the clerk treasurer or deposited into an account provided by the clerk-treasurer, and deposit slip given to the clerk treasurer no later then 5 days after collection, if said day shall fall on the weekend the money or deposit slip must be to the clerk-treasurer no later than 4:00 p.m. on Monday after the weekend.

1-5-1

Sec. 1: If any ordinance is declared to be unlawful or unconstitutional the ordinance effected shall be void and shall not effect the rest of the ordinances of the Town of Rocky Ripple and the remaining ordinances shall remain in full effect.

2-1-1

Sec. 1: Pursuant to the ordinance of the town of Rocky Ripple, the following speed limits are hereby established for the following Streets:

- 51<sup>st</sup> Street from Riverview Drive to Annette Street, 25 MPH
- 51<sup>st</sup> Street from Lester Street to Clarendon Road, 15 MPH
- 52<sup>nd</sup> Street from Riverview Drive to the Canal, 25 MPH
- 53<sup>rd</sup> Street from Riverview Drive to the Canal, 25 MPH
- 54<sup>th</sup> Street from Riverview Drive to Canal Boulevard, 25 MPH
- Ripple Road from 54<sup>th</sup> Street to Canal Boulevard, 25 MPH
- Riverview Drive from the Dead End at 4900 block to 54<sup>th</sup> Street, 25 MPH
- Patterson Street from 54<sup>th</sup> Street to 51<sup>st</sup> Street, 25 MPH
- Annette Street from 54<sup>th</sup> Street to 51<sup>st</sup> Street, 25 MPH
- Sunnymeade Street From 53<sup>rd</sup> Street to the Dead End at 51<sup>st</sup> Street, 25 MPH
- Crown Street from 54<sup>th</sup> Street to the Dead End at 51<sup>st</sup> Street, 25 MPH
- Lester Street from 54<sup>th</sup> Street to 52<sup>nd</sup> Street, 25 MPH
- Lester Street from 52<sup>nd</sup> Street to 51<sup>st</sup> Street, 15 MPH
- Clarendon Road from 54<sup>th</sup> Street to 52<sup>nd</sup> Street, 25 MPH
- Clarendon Road from 52<sup>nd</sup> Street to 51<sup>st</sup> Street, 15 MPH
- Sunset Avenue from 54<sup>th</sup> Street to 53<sup>rd</sup> Street, 25 MPH
- Canal Boulevard from Ripple Road to 53<sup>rd</sup> Street, 15 MPH
- Byram Avenue from 54<sup>th</sup> Street to 52<sup>nd</sup> Street, 25 MPH
- Karstadt Drive from 54<sup>th</sup> Street to Sunset Avenue, 25 MPH

Sec. 2: It shall be an unlawful act if any person shall exceed the posted Speed Limits as described it 2-1-1-1.

Sec. 3: At any intersection controlled by a stop or yield sign drivers of any vehicle motorized or powered by human energy must:

At a stop sign: The driver must make a complete stop at such sign or stop line, then proceed through when safe to do so.

## Town Ordinances Town of Rocky Ripple

At a yield Sign: The driver must slow down to a reasonable speed for the existing conditions and shall yield the right-of-way to any pedestrian crossing the road and to any vehicle in the intersection or approaching the intersection.

Sec. 4: It shall be an unlawful if any person shall not Stop or Yield at any intersection so marked.

Sec. 5: The driver of any authorized emergency vehicle, when responding to and carrying out an emergency call, upon approach of a stop or yield sign shall sound a siren or other warning device in time to warn other traffic and shall slow down as necessary for safety, but may proceed cautiously past a stop or yield sign.

Sec. 6: It shall be unlawful for any person to operate a vehicle on any of the following streets in a direction other than otherwise indicated by posted signs.

(a) Traffic on Byram Avenue between West 52<sup>nd</sup> Street and West 53<sup>rd</sup> Street shall move in a northbound direction.

(b) Traffic on Canal Boulevard between West 54<sup>th</sup> Street and West 53<sup>rd</sup> Street shall move in a southbound direction.

Sec. 7: The Town Board of the Town of Rocky Ripple shall have the authority to establish preferential streets and highways and to erect and maintain stop and yield signs at such preferential intersections

Intersection	Preferential	Type of Control
(a) W 52 <sup>nd</sup> & Clarendon Rd.	None	4-Way Stop
(b) W 52 <sup>nd</sup> & Lester St.	W 52 <sup>nd</sup> St.	Stop
(c) W 52 <sup>nd</sup> & Crown St.	W 52 <sup>nd</sup> St.	Stop
(d) W 52 <sup>nd</sup> & Sunnymeade Ln.	None	4-Way Stop
(e) W 52 <sup>nd</sup> & Annette St.	W 52 <sup>nd</sup> St.	Stop
(f) W 52 <sup>nd</sup> & Patterson St.	W 52 <sup>nd</sup> St.	Stop
(g) W 52 <sup>nd</sup> & Riverview Dr.	Riverview Dr.	Stop
(h) W 53 <sup>rd</sup> & Canal Blvd	W 53 <sup>rd</sup> St.	Stop
(i) W 53 <sup>rd</sup> & Sunset Ave.	W 53 <sup>rd</sup> St.	Stop
(j) W 53 <sup>rd</sup> & Byram Ave.	None	4-Way Stop
(k) W 53 <sup>rd</sup> & Clarendon Rd.	None	4-Way Stop
(l) W 53 <sup>rd</sup> & Lester St.	W 53 <sup>rd</sup> St.	Stop
(m) W 53 <sup>rd</sup> & Crown St.	None	4-Way Stop
(n) W 53 <sup>rd</sup> & Sunnymeade Ln.	W 53 <sup>rd</sup> St.	Stop
(o) W 53 <sup>rd</sup> & Annette St.	None	4- Way Stop
(p) W 53 <sup>rd</sup> & Patterson St.	W 53 <sup>rd</sup> St.	Stop
(q) W 53 <sup>rd</sup> & Riverview Dr.	None	3-Way Stop
(r) W 54 <sup>th</sup> & Canal Blvd.	Canal Blvd.	Stop
(s) W 54 <sup>th</sup> & Karstadt Dr.	W 54 <sup>th</sup> St.	Stop
(t) W 54 <sup>th</sup> & Sunset Ave.	None	All Way Stop
(u) W 54 <sup>th</sup> & Byram Ave.	W 54 <sup>th</sup> St.	Stop
(v) W 54 <sup>th</sup> & Clarendon Rd.	None	3- Way Stop
(w) W 54 <sup>th</sup> & Lester St.	W 54 <sup>th</sup> St.	Stop
(x) W 54 <sup>th</sup> & Crown St.	None	3-Way Stop
(y) W 54 <sup>th</sup> & Annette St.	W 54 <sup>th</sup> St.	Stop
(z) W 54 <sup>th</sup> & Patterson St.	W 54 <sup>th</sup> St.	Stop
(aa) Ripple Rd. & Canal Blvd.	None	2-Way Stop
(ab) Ripple Rd. & Sunset Ave.	None	All Way Stop
(ac) W 51 <sup>st</sup> & Patterson St.	W 51 <sup>st</sup> St.	Stop
(ad) W 51 <sup>st</sup> & Riverview Dr.	Riverview Dr.	Stop

# Town Ordinances Town of Rocky Ripple

(ae) Karstadt Dr. & Sunset Ave.

Sunset Ave.

Stop

Sec. 8: It shall be unlawful for any person in any vehicle or in any other manner, to permit any material or articles likely to sift, fall, spill or be blown upon the public way or place, shall not overload the vehicle, and shall cover the contents or shall convey the contents in a tightly secured and covered boxes or containers. In any case, any contents thereof that shall be blown, spilled, fall or become scattered in any public place, such person shall immediately gather up and remove said items.

Sec. 9: It shall be unlawful for any person to operate any kind of vehicle, or load on a vehicle, any item that shall mar, deface, or otherwise damage the street.

Sec. 10: It shall be unlawful for any person to operate any motor vehicle or other machine powered by an internal combustion engine, which is not equipped with a muffler or similar noise abatement device which will effectively reduce and prevent loud or explosive noises therefrom. The muffling device shall significantly reduce or eliminate noise emissions from a motor vehicle.

Sec. 11: It shall be unlawful for any person to possess or to operate any motor vehicle or other machine powered by an internal combustion engine with "straight pipes," "baffles," "muffler cutouts," "bypasses," or any other similar type of exhaust bypasses.

Sec. 12: No driver of any motor vehicle shall drive or operate such vehicle in playing or engaging in the game, operation or maneuver commonly known as "boxcar" in concert with any other driver or drivers so as to surround or flank any other vehicle on two (2) or more sides, or willfully drive or back his/her vehicle onto or against any other vehicle, when both or all such vehicles have stopped, or stop suddenly and without excuse therefor in front of any other vehicle, thereby causing it to swerve or stop abruptly to avoid a collision, or actually causing a collision.

Sec. 13: It shall be unlawful for any operator of any vehicle, including buses and taxicabs, to operate such vehicle on any street or public place in the town when the vehicle is emitting from any source an unreasonable quantity of smoke, noxious gases or vapor, or when it is in a condition hazardous to other traffic, except while en route to a repair shop to remedy same and is being operated with due care.

2-1-2

Sec. 1: It shall be unlawful for any person, whether an operator of a vehicle or a pedestrian, to willfully fail or refuse to comply with any lawful order, signal or direction of a police officer, a fire department official or of any other person authorized to perform any duties thereof under this ordinance or by state statute.

Sec. 2: It shall be unlawful for any person operating a motor vehicle not to move to the side of the road parallel and as close as possible to the side of the road upon the approach of an emergency vehicle that has either its emergency lights in operation and/or giving an audible signal from its siren.

Sec. 3: The use of any horn or other sound warning device on any vehicle for any other purpose than as a warning of the approach of the vehicle while in traffic or as a danger signal to other traffic, vehicular or pedestrian, or as prescribed in this code or by statute and any unnecessary continuous sounding thereof is declared to be a nuisance and unlawful.

Sec. 4: It shall be unlawful for any person to operate a motor vehicle that has a gross weight that

## **Town Ordinances Town of Rocky Ripple**

exceeds eleven thousand pounds (11,000) unless authorized by the Town Board of Rocky Ripple.

2-1-3

- Sec. 1: Parking of a motor vehicle shall be prohibited at all times at the following locations:
- (a) Upon any portion of the paved or unpaved section of any street or highway within the town.
  - (b) On either side of West 52<sup>nd</sup> Street from Clarendon Road to the West Side of the Indianapolis Water Company Canal.
  - (c) On either side of West 53<sup>rd</sup> Street from Byram Avenue to the West Side of the Indianapolis Water Company Canal.
  - (d) On either side of Canal Boulevard from West Ripple Road to West 53<sup>rd</sup> Street.
  - (e) On either side of West 51<sup>st</sup> Street from Clarendon Road to Lester Street.
  - (f) On either side of Clarendon Road from West 51<sup>st</sup> Street to a point fifty (50) feet north of West 51<sup>st</sup> Street.
  - (g) On either side of North Byram Avenue from West 52<sup>nd</sup> Street to a point twenty-five (25) feet North of West 52<sup>nd</sup> Street.
  - (h) In the center of Riverview Avenue in the 5000 block north commonly known as the "turn around"
  - (i) At any place where such parking would create a hazard to the movement of traffic
  - (j) At any place where such parking would create a nuisance or damage to property.
  - (k) At any place where it is signed as no parking

Sec. 2: It shall be unlawful for the owner, operator or driver of any truck or commercial vehicle, or for the person in charge thereof, to park such vehicle or to permit it to be parked or to stand upon any street or alley in the town between the hours of 12:00 midnight and 6:00 a.m. for a period of time longer than one (1) hour. And it shall be unlawful for that person to allow a commercial vehicle to park for a period longer than six (6) hours upon any street, alley, highway or other public place in the town, other than with the written consent of the owner or tenant of the property abutting the street alley or place where the vehicle is parked.

Sec. 3: It shall be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer", to park, suffer, permit or allow such trailer to stand or be parked on any public street, place or thoroughfare of any kind in the town unless it is attached to another vehicle having motive power.

Sec. 4: Any vehicle found parked in violation of this chapter may be impounded and towed to the lot of the wrecker service, which has a contract with the Marion County Sheriff's Department to provide wrecker service to the part of Marion County in which the town is located. The vehicle may be released in accordance with the Marion County Sheriff's Department policies and procedures. The owner of the vehicle shall be liable for all costs of the impoundment and storage.

Sec. 5: If the driver of the vehicle that is in violation of this code cannot be found it will become the liability of the registered owner. The citation issued for said violation shall be attached to the windshield or other conspicuous place on the vehicle. The following vehicles are exempt from this chapter: Any police, fire, or government vehicle, any utility vehicle, while said vehicles are being used for official purposes.

2-1-4

Sec. 1: It shall be unlawful for any person or persons to stand within any public street, traffic lane, or upon a traffic median or boulevard for the purpose of soliciting, peddling or distributing handbills, newspapers or other printed matter, or engaging in conversation or discourse with the occupant of a vehicle within a traffic lane so as to endanger the life of the person so standing or as to impede the free flow of traffic, or obstruct or distract the view of the driver of any such vehicle

## **Town Ordinances Town of Rocky Ripple**

on such street.

2-2-1

Sec. 1: It shall be unlawful for any person to recklessly, knowingly or intentionally enter a public safety controlled zone without the permission of the ranking public safety officer on the scene or to cause any vehicle to enter such zone without such permission or to fail to obey the lawful orders of an authorized person.

Sec. 2: It shall be unlawful for any person to cross any lines or barricade that is in place at an emergency scene to guard the general public from the emergency scene. The fire chief, officer in charge or law enforcement officers may create an area in which only firefighters, law enforcement officers and those having an interest in any property threatened by the fire or other emergency shall be admitted.

2-3-1

Sec. 1: Except as otherwise provided in this section, it shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health and peace or safety of others within the town. Accordingly, the following acts, among others, are declared to be loud, disturbing and unnecessary noises and in violation of this section, but such enumeration shall not be deemed to be exclusive:

Horns and Signaling devices. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle in any street or public place of the town, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound, or continued or repeated use of any such device.

Radios and televisions. Playing, using or operating, or permitting to be played used or operated, any radio or television receiving set, musical instrument, phonograph calliope or car stereo or device for producing or reproducing sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants. If any such devices or instruments are plainly audible at 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section. Unless by permit issued by the town for any festival, parade or community gathering or any other authorized function by the town.

Yelling, or shouting. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any place so as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, or residence, or person in the vicinity.

Sec. 2: It shall be unlawful for any person to permit noisy or riotous person(s), or person(s) of disorderly character, to assemble in or on the property they own, and said noisy, riotous or disorderly persons are disturbing the peace of the surrounding neighbors.

2-3-2

Sec. 1: It shall be unlawful for any person to cast, place or deposit any litter upon real property owned by another or any public or private property within the town limits of Rocky Ripple, without the consent of the owner or lessee of such real property. Whenever any person shall be charged with a violation of this section, it shall be sufficient allegation of an ordinance violation to state that such person deposited the litter described upon property of which he was not then the owner or lessee. It shall be a matter of affirmative defense for the person to show that he had permission of the owner or lessee to so deposit such litter, if such was the case.

## **Town Ordinances Town of Rocky Ripple**

Sec. 2: It shall be the duty of any person owning or controlling a house or other building or premises, including vacant lots visible from any public place or private premises, to maintain such premises in a reasonably clean and orderly manner and to a standard conforming to other orderly premises in that vicinity. It shall be a violation of this section to abandon, neglect or disregard the condition or appearance of any premises so as to permit the accumulation of litter thereon.

2-3-3

Sec. 1: It is a violation of this code for any person to erect, continue, use or maintain, or permit to be erected, continued, used or maintained in any place or upon any premises owned, controlled, or operated by him within the corporate limits of the Town of Rocky Ripple any condition, trade, employment, or business injurious to health or indecent, or offensive to the senses or an obstruction to the free use of property so as to interfere with the enjoyment of the property of any other person.

Sec. 2: It shall be a violation of this code for any person owning or legally in control of real property within the corporate limits of the Town of Rocky Ripple to become overgrown with weeds or other rank vegetation.

Sec. 3: Any owner or person in control of real property within the corporate limits of the Town of Rocky Ripple shall cause to be cut or removed from said real property all weeds and other rank vegetation growing on said real property. If said owner or person in control of said real property does not cause the removal of said nuisance, the Board of Trustees of the Town of Rocky Ripple shall notify in writing to the owner or person in control of said property to remove said nuisance. If within five (5) days after notice the owner or person in control of said property has not removed said nuisance the Town of Rocky Ripple shall cause the removal of said nuisance. The cost of the removal of said nuisance shall be placed against the tax levy on the real property involved, and/or fined for each day of violation after the five-day notice. Each day the violation still exists shall constitute a new violation.

Sec. 4: It shall be a violation of this code for any person, firm or corporation to vend, hawk, peddle, or solicit funds or business upon or along any street, alley, public property, or in or upon any public building or private property without a license.

Sec. 5: It shall be unlawful for any building, vehicle, structure, receptacle, yard, lot, premises, or part thereof, be maintained in the town in any manner so as to cause or produce a nuisance or be dangerous or detrimental to the public health and safety.

Sec. 6: It shall be unlawful for any person to solicit for funds, or other financial assistance, at any hour, either by vocal appeals, or by any other type of performance.

Sec. 7: It shall be unlawful for any person or group of persons to loiter or prowl in a place, at a time or in a manner not usual for law abiding citizens, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity, in any public way, street, highway, place or alley and refuse to obey the lawful command of a police officer to move on or provide to such officer a lawful reason for remaining on such public way, street, highway, place or alley if the alleged loitering by such person would create or cause to be created any of the following.

(a) Danger of a breach of the peace:

(b) The unreasonable danger of a disturbance to the comfort and repose of any person acting lawfully on or in a public way, street, highway, place or alley reserved for pedestrians:

(c) The obstruction or attempted obstruction of the free normal flow of vehicular traffic or the normal passage of pedestrian traffic upon any public way, street, highway, place or alley;

(d) The obstruction, molestation, or interference or attempt to obstruct, molest or interfere

## **Town Ordinances Town of Rocky Ripple**

with any person lawfully on or in a public way, street, highway, place or alley, in a manner that would cause a reasonable person or pedestrian of a public way, street highway, place or alley to fear for his or her safety.

Sec. 8: Any building, structure, enclosure, place or premises is declared to be a public nuisance where it is perilous to life or property by reason of its construction or age; or of the condition, kind or quantity of its contents; or of the use of the building or its contents or enclosure; or of the overcrowding at any time of persons therein or overloading of its floors; or of deficiencies in its fire alarm or fire prevention or arresting equipment; or of conditions in its construction and use likely to cause fire or the spreading of fire; or of conditions therein which would hamper or impede the fire department in combating a fire in or about the building; or where the condition of the walls, floors or roof is so weakened or defective that the building is likely to collapse and fall on account thereof, thereby endangering the safety, health or morals of its occupants or of the public; or where the water, plumbing and sanitary conditions imperil health; or where overcrowding of sleeping rooms and other moral conditions are such as to encourage juvenile delinquency or other offenses affecting the morals of any person.

Sec 9: It shall be unlawful to use any street, public place or park at any time for the purpose of doing work or repairs upon vehicles, except for the change of tires when punctured and other emergency work necessary to move such vehicle with safety, whether such vehicles are properly parked or otherwise

Sec. 10: Abandoned and junk vehicles within the corporate limits of the Town of Rocky Ripple are hereby declared to be a public nuisance and are subject to impoundment, removal and disposal. Indiana code 9-22-1 shall apply to this code.

Sec. 11: (a) The owner of any private property in Rocky Ripple which borders or lies adjacent to any public street, alley, right-of-way, place or park and upon which any trees or flora may be standing shall trim or cause such trees or flora to be trimmed, either at the property line, or to a clear height of at least eight (8) feet above the surface of any abutting right-of-way or place, and fourteen (14) feet above any public street or alley. No person shall plant or maintain any tree or flora so close to any property line as to obstruct the vision or free passage of pedestrians or motorists along the streets or public right-of-way. Rocky Ripple or its contractual agents may enter upon private property to do such cutting or trimming as may be necessary to remove any offending and obstructing tree or flora that is prohibited by the provisions hereof.

(b) An owner shall, and Rocky Ripple may, remove from flora all dead, decayed, broken or dangerous limbs, branches or parts thereof or any that overhang or are close to any public street, alley, right-of-way, or place, and, when any such flora is dead, the owner shall completely remove the same, or after notice to and failure of the owner so to do, the Town of Rocky Ripple or its lawful agents may cause such removal and charge the cost thereof to the owner.

2-3-4

Sec. 1: It shall be unlawful for any person or persons to own, keep or harbor any animal which causes annoyance or disturbance to any person or persons upon a public street or highway or to the neighborhood within the corporate limits of the Town of Rocky Ripple.

Sec. 2: It shall be unlawful for any person to own or harbor a vicious, fierce, or dangerous animal or for any person to own, keep, or harbor upon his premises within the corporate limits of the Town of Rocky Ripple any cow, pig, bull, horse, chicken, rooster, or other farm animal.

Revised May 2010

a) Roosters are prohibited

## **Town Ordinances**

### **Town of Rocky Ripple**

- b) Each household shall be limited to 4 hens maximum
- c) The chicken coup shall be at least 50 feet from any neighbor's house
  - 1) If closer than 50 feet, permission must be granted in writing from that neighbor
  - 2) If farther than 50 feet, it is recommended, in the interest of neighborly relations, that residents let their neighbors know of their intention to keep hens

Sec. 3: It shall be unlawful for any person to permit any domestic animal to run at large within the corporate limits of the Town of Rocky Ripple.

Sec. 4: The town board of the Town of Rocky Ripple and the Town Marshal or his duly appointed deputies shall have the power to either cause any animal in violation of this chapter to be impounded by Indianapolis, Marion County Animal Control, and/or the town marshal or his duly appointed deputies shall cite the owners for violation of this chapter. Said violation shall be in accordance with Town Code 1-3-1-1. Each day constitutes a new violation. Fine shall be \$25 first offense, \$50 second offense in 12 months, and \$100 third and each subsequent offense in a 12 month period. (revised April 2009)

2-3-5

Sec.1: It shall be unlawful for any person, directly or indirectly, to throw, cast, deposit, place, pour or dump any earth, stone, impure liquids, chemicals, waste, trash, rubbish, garbage, refuse, filth, offal, vegetable matter, straw, paper, scraps, strands of wire, iron, tin, boards or pieces of lumber, metal hoops, cans, cloth, rags, tacks, nails, glass, or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank or other receptacle for fecal or refuse matter, or any other kind of substances, articles, matter or materials into the waters of any stream, lake, canal, reservoir or other waterway; or do so on or within five hundred (500) feet from the banks or shores thereof, within whole or part of the town of Rocky Ripple or within four (4) miles therefrom, and which tends either to obstruct or to render the waterway noxious, obnoxious or unsightly. However this shall not apply to any kitchen or toilet facilities indirectly or lawfully deposited in or permitted to enter any kind of waterway, after first having been caused to enter a public sewer system.

2-4-1

Sec. 1: It shall be unlawful for any person to discharge or cause to be discharged any firearms, BB guns or pellet guns using any type of ammunition of any type within the corporate limits of the Town of Rocky Ripple, or possess, sell or discharge any explosive device using gunpowder, TNT, nitro compound or any other explosive material unless used in accordance with local, state, or federal laws.

Sec. 2: It shall be unlawful for any person within the corporate limits of the Town of Rocky Ripple to cause any fireworks not listed as class "C" fireworks or any other fireworks that leave the ground or otherwise prohibited by state statute to be ignited or otherwise set off without permit issued by the Town of Rocky Ripple.

2-4-2

Sec. 1: It shall be unlawful for any person to store, place or permit any discarded, abandoned or unused icebox, refrigerator, deep freeze or similar container of an airtight character in any place where it is accessible to children without first taking the following actions:  
Locking the door and removing the key; or  
Removing all automatic catches and locks on the exterior of all doors and rendering such locks completely inoperable; or

## **Town Ordinances Town of Rocky Ripple**

Completely removing the door thereof so as in each case to prevent any person or child from becoming imprisoned therein.

This section shall not apply to the delivery, transfer or removal of any icebox, refrigerator, deep freeze or similar container from one (1) location to another while in transit; provided, however, the icebox, refrigerator or container shall not be left unattended for longer than fifteen (15) minutes at any time, and shall be checked for the presence of persons or children therein.

2-4-3

Sec. 1: It shall be unlawful for any person to willfully report in any manner to the police or other public authorities, or report to other persons, the commission of any act or acts constituting a violation of the ordinance(s) of the Town of Rocky Ripple, knowing the report to be false.

Sec. 2: When a law enforcement officer, after having identified himself as such, reasonably infers, from his observation of unusual conduct under the circumstances and in light of his experience, that criminal activity has been, is being, or is about to be committed by any person observed in a public place. Such officer may stop such person and shall make reasonable inquiries concerning the name and address of such person. Should any person fail or refuse to so account, such conduct shall be unlawful.

2-4-4

Sec.1: It shall be unlawful for any person with the present ability to inflict harm upon another person to:

- (a) Threaten or menace another person;
- (b) Challenge another to fight; or
- (c) Place any person in fear or apprehension of physical pain, injury or danger by word, sign or gesture.

2-5-1

Sec. 1: It shall be unlawful for any person to have an open fire except between the hours of 10:00 a.m. and 7:00 p.m. providing that the wind speeds are less than 20 mph as given by the local office of the National Weather Service, and as long as the fire is at least fifteen (15) feet from any structure, and be in a noncombustible container, with enclosed sides, a bottom and a noncombustible mesh covering for the top. The items to be burned shall be wood products. The fire shall be attended at all times until completely extinguished. If the fire creates a nuisance or a health hazard it shall be immediately extinguished. Any person violating this ordinance shall be fined no less than two hundred fifty (\$250.00) dollars per occurrence.

Sec. 2: The following restrictions shall apply to all bonfires, campfires, cookouts, and personal fires:

Only dry naturally occurring wood products may be burned (i.e. branches and twigs).  
The material must be less than three (3) inches in diameter.

Burning must occur on agriculturally, residential, or special use SU-1 properties.

The aggregate amounts of burn material shall not exceed:

Twenty (20) feet in diameter and six (6) feet in height for bonfires

Two (2) feet in diameter and one (1) foot in height for campfires and cookouts

Campfires and cookouts must be contained within a ring of bricks or stones. Comfort fires must be burned in a ventilated non-combustible container.

## **Town Ordinances Town of Rocky Ripple**

Campfires and cookouts must occur at least twenty (20) feet from any structure and combustible materials. Bonfires must occur at least thirty (30) feet from any structure or combustible materials or from any alleys, roads and power lines.

Burning must be stopped if the fire department or police department with jurisdiction over the corporate limits of the Town of Rocky Ripple determines that the burn unreasonably interferes with another individual's comfortable enjoyment of their life and property, or if it is determined to be in violation of any local, state or federal laws, or if it becomes a nuisance. Any person violating this ordinance shall be fined no less than two hundred fifty (\$250.00) dollars per occurrence.

3-1-1

Sec. 1: It shall be unlawful for any person to deposit or place upon real estate owned by another any solid waste without the approval of the owner or lessee of such real estate. Any person who violates this section shall be punishable by a fine of not less than five hundred (\$500.00) dollars and reasonable costs for the removal of said unlawfully dumped items.

3-2-1

Sec. 1: Fountain Park, Hohlt Park and Peace Park will be open from dawn until dark. Wahpihani Park will be open 24 hours a day, with no radios, musical instruments, fireworks, singing, or boisterous behavior that would disturb residents in the immediate area of the park from the hours of 10:00 p.m. until 8:00 a.m. The Town Board can set the hours for special occasions, different than previously listed. Any person found in the park after said regular or special hours shall be guilty of an offense.

Sec. 2: It shall be unlawful for any person to have or be under the influence or effect of an alcoholic beverage in any park of the Town of Rocky Ripple. Alcoholic Beverage is defined by IC 7.1-1-3-5 and as that statute may be amended or supplemented from time to time. Fine shall be \$50. (revised July 2013)

Sec. 3: It shall be unlawful for any person to use profane, obscene, lewd, threatening or abusive language; or to fight, quarrel or throw any stone or missile; or to behave in a loud or disorderly manner; or to commit any offense against decency, good morals or contrary to law, or to litter, dump or deposit any garbage or other offensive substance or article upon any park, playground or any other property under the control of the Town of Rocky Ripple.

Sec. 4: It shall be unlawful for any person to gamble, or violate any federal, state, city or town laws pertaining thereto, in any public park or playground under the control of the Town of Rocky Ripple.

Sec. 5: It shall be unlawful for any person, unless authorized by the Town of Rocky Ripple, or is a law enforcement officer, to discharge any firearms or have possession of any firearms or other explosive devices, or to endanger others by the use of any weapons, article or device, within any park or playground under the control of the Town of Rocky Ripple.

Sec. 6: It shall be unlawful for any motor vehicle to be operated in any Park in the Town of Rocky Ripple, except within designated parking areas. (revised July 2013)

3-3-1

Sec. 1: It is unlawful for a child fifteen (15), sixteen (16), or seventeen (17) years of age to be in a public place in the county at any time during the following curfew hours:

## **Town Ordinances Town of Rocky Ripple**

- (1) Between one o'clock (1:00) a.m. and five o'clock (5:00) a.m. on Saturday or Sunday;
- (2) After eleven o'clock (11:00) p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday; or
- (3) Before five o'clock (5:00) a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.

Sec. 2: It is unlawful for a child younger than fifteen (15) years of age to be in a public place in the county after eleven o'clock (11:00) p.m. or before five o'clock (5:00) a.m. on any day.

Sec. 3: Sections 3-3-1-1 and 3-3-1-2 of this chapter do not apply to a child who is:

- (1) Accompanied by the child's parent, guardian, or custodian;
- (2) Accompanied by an adult specified by the child's parent, guardian, or custodian; or,
- (3) With the consent of the child's parent, guardian, or custodian, either participating in, going to, or returning from:
  - a. Lawful employment;
  - b. A school-sanctioned activity; or,
  - c. An expressive, religious, or associational activity protected by either federal or state law, including but not limited to the free exercise of religion, freedom of speech, and the right of assembly.

Sec. 4: (a) A child who commits a curfew violation under this chapter is subject to the enforcement procedures provided in IC 34-28-5-1. Whenever a complaint is filed against a child for a violation of this chapter, the city shall direct a copy of the complaint to the Juvenile Division of the Marion Superior Court, and to the child's parent, guardian, or custodian, if such person is known or can be identified by a reasonable inquiry.

(b) In addition to the imposition of fines as provided in Section 103-3 of the Code, the court upon request shall order such injunctive relief as is appropriate and necessary to prevent a child from committing further violations of this chapter.

Sec. 5: It is unlawful for a parent, guardian or custodian of a child under the age of eighteen (18) years knowingly to allow that child to commit a curfew violation under this chapter.

Sec. 6: (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

(c) This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.