

ORDINANCE 1948

AN ORDINANCE REPEALING CHAPTER 54 – TRAFFIC AND VEHICLES,
ARTICLE IV - STOPPING, STANDING, AND PARKING,
DIVISION 1 - GENERALLY,
SEC. 54-181 - PARKING ON RESIDENTIAL LOTS
OF THE MUNSTER CODE OF ORDINANCES
PERTAINING TO PARKING ON RESIDENTIAL LOTS

WHEREAS, the Town Council of the Town of Munster is the municipal legislative body of the unit; and

WHEREAS, the Town of Munster, its staff, and consultants have reviewed and recommended changes to the Munster, Indiana Code regarding Chapter 54 - Traffic and Vehicles, Article IV - Stopping, Standing, and Parking, Division 1 – Generally, specifically Sec. 54-181 – Parking on Residential Lots, of the Munster Code of Ordinances; and

WHEREAS, the Town of Munster, after due deliberation, has concluded that a repeal to Section 54-181 is appropriate; and

WHEREAS, the Munster Town Council deems it to be in the best interest of the general health, safety, and welfare of the citizens of the Town of Munster to repeal Chapter 54 - Traffic and Vehicles, Article IV - Stopping, Standing, and Parking, Division 1 – Generally, specifically Sec. 54-181 – Parking on Residential Lots, of the Munster Code of Ordinances;

Now, therefore, be it **ORDAINED** by the Town Council of the Town of Munster, Lake County, Indiana as follows:

1. Sec. 54-181 – Parking on Residential Lots, of Chapter 54 - Traffic and Vehicles, Article IV - Stopping, Standing, and Parking, Division 1 – Generally, is hereby repealed and deleted in its entirety and replaced with the following:

CHAPTER 54 - TRAFFIC AND VEHICLES

ARTICLE IV - STOPPING, STANDING AND PARKING

DIVISION 1. GENERALLY

Sec. 54-181. Commercial and recreational vehicle parking on public roadways.

(a) Definitions. The following definitions shall apply to this section:

- (1) *Commercial vehicle* means a vehicle owned by a company and/or used for business purposes, with or without a logo of a business painted on or applied to the vehicle, and identified as follows:

- (i) *Heavy-duty commercial vehicle:*
 - (A) A combination of a motor vehicle and towed unit(s) having a combined gross vehicle weight rating (GVWR) or combined gross vehicle weight of 26,001 pounds or more, whichever is greater; or
 - (B) A heavy-straight motor vehicle having a gross vehicle weight rating (GVWR) or gross vehicle weight of 26,001 pounds or more, whichever is greater; or
 - (C) A motor vehicle designed to transport sixteen (16) or more passengers, including the driver; or
 - (D) A motor vehicle of any size that is used in the transportation of hazardous materials, as defined by 49 U.S.C. 5103.
 - (ii) *Medium-duty commercial vehicle* means any mid-size to larger vehicle with a gross vehicle weight rating (GVWR) or gross vehicle weight of 10,001 to 26,000 pounds, whichever is greater. A medium-duty vehicle includes, but is not limited to, refrigerated and box trucks, flat-bed trucks, landscape vehicles, extended-bed cargo vans, conversion vans, dump-trucks, cargo or delivery trucks, tow-trucks, and small and medium-duty buses that meet this definition.
 - (iii) *Light-duty commercial vehicle* means any standard-sized passenger vehicle with a gross vehicle weight rating (GVWR) or gross vehicle weight up to 10,000 pounds, whichever is greater, and four (4) tires only. A light-duty vehicle includes, but is not limited to, cars, minivans and full-size vans, sports utility vehicles (SUVs), light-duty and standard size pick-up trucks that meet this definition.
 - (iv) *Exemption.* For purposes of this section, a commercial vehicle shall not include a vehicle owned or leased by the state of Indiana, a municipality, or a school corporation.
- (2) *Gross vehicle weight rating (GVWR)* means the maximum allowable weight a vehicle or a towed unit is designed to carry, as determined by the manufacturer; GVWR is not the actual weight of a vehicle or a towed unit at a moment in time, but rather, is the maximum amount a fully loaded vehicle or towed unit can weigh as it rolls down the road. The GVWR of a vehicle includes the curb weight of the vehicle, plus the weight of the engine fuel, passengers, and cargo. The GVWR of a towed unit(s) includes the curb weight of the towed unit, plus the weight of the cargo.
- (3) *Personal vehicle* means any standard-sized passenger vehicle, including but not limited to, cars, vans, sports utility vehicles (SUVs), or pick-up trucks that are for personal use, in whole or in part. This term includes an individual-owned vehicle, and/or a company-owned vehicle without a logo of the business painted on or applied to the vehicle that is used by the employee for personal use.

- (4) *Recreational vehicle* means any motor home, camper, house trailer, boat, boat trailer, other trailer of any kind, or any similar item.
- (b) No person shall park any medium-duty commercial vehicle or recreational vehicle on a public street, alleyway, road, highway, or street right-of-way for a period of more than twenty-four (24) hours.
- (c) No person shall park any heavy-duty commercial vehicle on a public street, alleyway, road, highway, or street right-of-way at any time.
- (1) Exceptions. Subsection (c) shall not be interpreted to prohibit the following:
- (i) The temporary parking to load, unload, or deliver goods and materials to any building or structure;
 - (ii) The temporary parking when actively engaged in repair, alteration, remodeling, or construction of any building or structure;
 - (iii) The temporary parking on permitted streets while in the process of being loaded or unloaded; or
 - (iv) When the vehicle is disabled in such a manner that it is impossible to avoid stopping and temporarily leaving the disabled vehicle for a period of no more than twenty-four (24) hours on that portion of the public street, alleyway, road, highway, or street right-of-way ordinarily used for parking.
- (d) The fines associated with a citation issued under this section shall not be paid through the Town's Ordinance Violations Bureau.

This Ordinance shall take effect upon the date of its publication which shall occur within thirty (30) days after passage.

Now, therefore, be it **ORDAINED** that the above-referenced Ordinance is hereby enacted.

ORDAINED and ADOPTED by the Town Council of the Town of Munster, Indiana, on the ____ day of _____, 2024, by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL OF THE TOWN OF MUNSTER,
LAKE COUNTY, INDIANA**

By: _____
David B. Nellans, President

ATTEST:

Wendy Mis, Clerk-Treasurer