

**GENERAL ORDINANCE NO. 13, 2013**

*General Ordinance No. 13, 2013* is an ordinance that amends the Code of Ordinances Chapter 72, Subsection 72.23 pursuant to the over night parking of Commercial Motor Vehicles.

**WHEREAS,** residents may drive Commercial Motor Vehicles home from work and some citizens may be on call for a period of time including over night; and

**WHEREAS,** residents sometimes have deliveries made to their home requiring parking in front of their residence; and

**WHEREAS,** service calls sometimes happen to where a Commercial Motor Vehicle may be parked in the street for a extended period of time; and

**WHEREAS,** emergencies may happen where a Commercial Motor Vehicle may park on a street for an extended period of time.

**NOW THEREFORE BE IT ORDAINED** by the common council that the parking of large motor vehicles or Commercial Motor Vehicles within the City of Beech Grove be regulated.

**NOW THEREFORE BE IT FURTHER ORDAINED** that Chapter 72, Subsection 72.23 be amended as such:

**DELETE Chapter 72, Subsection 72.23 in it's entirety: and replace with the following:**

**Subsection 72.23:**

**No semi-truck and or trailer shall park on a city street between the hours of 12:00AM and 6:00AM. No more than one Commercial Vehicle of the same company, per household, shall park on a city street between the hours of 12:00AM and 6:00AM.**

**EXCEPTIONS:**

- i. Vehicle Operator is allowed to drive a company vehicle home**
- ii. Operator of vehicle is on call for his / her employer**
- iii. Necessary for the preservation of life and property**
- iv. Except for vehicles for city sponsored events.**

**DEFINITIONS:**

**IC 9-13-2-31**

**Commercial Motor Vehicle**

**Section 31. (a) “Commercial Motor Vehicle” means, except as provided in subsection (b), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:**

- (1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds.**
- (2) Has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds**
- (3) Is designed to transport sixteen (16) or more passengers, including the driver; or**
- (4) Is:**
  - (A) of any size;**
  - (B) used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act; and**
  - (C) required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F)**
  - (D) to include vehicles with a gross declared weight greater than eleven thousand (11,000) pounds but less than twenty-six thousand one (26,001) pounds.**

**NOW THEREFORE BE IT ORDAINED** that the Common Council desires to amend Chapter 72 of the Code of Ordinances for the City of Beech Grove.

**NOW THEREFORE BE IT FURTHER ORDAINED** that this ordinance only applies to Commercial Motor Vehicles.

**NOW THEREFORE BE IT FURTHER ORDAINED** that this ordinance shall go into effect sixty (60) days after passage by the Common Council, signed by the Council President, attested by the Clerk Treasurer and signed by the Mayor.

Ordinance / Resolution Number: GO #13

Passed by the Common Council of the City of Beech Grove, Indiana this 5<sup>th</sup>

Day of AUGUST 2013.

1<sup>st</sup> Reading: 6-3-2013 3<sup>rd</sup> Reading: 8-5-2013

2<sup>nd</sup> Reading: 7-1-2013

**Common Council for the City of Beech Grove, Indiana**

Mary Huser Stewart Y or N  
Mary Huser Stewart

Edward Bell Y or N  
Edward Bell

Anthony Davidson Y or N  
Anthony Davidson

John Jennings Y or N  
John Jennings

David Harrison Y or N  
David Harrison

David Mobley Y or N  
David Mobley

Kathy Coates Y or N  
Kathy Coates

Ed Bell  
ATTEST: Ed Bell  
Council President

Presented by me to the Mayor of the City of Beech Grove, Indiana on this 5<sup>th</sup>

Day of AUGUST, 2013 at 7:20 P.M.

Dan McMillan  
ATTESTED:  
Dan McMillan, Clerk Treasurer

Approved by the Mayor of the City of Beech Grove, Indiana this 5<sup>th</sup> day  
of AUGUST, 2013, at 7:20 P.M.

Dennis B. Buckley  
Dennis B. Buckley, Mayor  
City of Beech Grove