

## ORDINANCE NO. 84-13

I K PARTNERS SHOPPING CENTER HANDICAPPED, FIRE LANE,  
PARKING, PEDESTRAIN AND TRAFFIC FLOW ENFORCEMENT ORDINANCE

WHEREAS, the Board of Public Works and Safety for the City of Lebanon, Indiana, and I K Partners, agent for C & W Manhattan Associates, owners of I K Partners Shopping Center, have entered into a Contract for the enforcement of violations of handicapped, fire lane, general parking, pedestrain traffic and traffic flow, and

WHEREAS, the Board of Public Works and Safety for the City of Lebanon, Indiana, pursuant to all applicable sections of the Indiana Code, may regulate by ordinance the parking of vehicles and the traffic at the shopping center, and

WHEREAS, the Board of Public Works and Safety for the City of Lebanon, Indiana, and the owners of the land commonly known as the I K Partners Shopping Center desire that the Board adopt an ordinance providing for punishment of violations of the parking and traffic regulations in effect at the shopping center pursuant to the Contract entered into between the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF PUBLIC WORKS AND SAFETY AND THE COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA THAT:

1. Parallel and/or vertical parking shall be prohibited along or adjacent to the curb (commonly known as "fire lane") as marked about retail establishments, occupied or unoccupied, within the property commonly known as the I K Partners Shopping Center as the same is owned by I K Partners, agent for C & W Manhattan Associates.

2. Parking shall be prohibited in the I K Partners Shopping Center in the parking places designated and striped for handicapped persons unless the individual falls under the definition of handicapped as contained in rhetorical paragraph 3 of the ordinance.

3. A person is handicapped within the definition of this ordinance if he is an individual of any age who:

- a. Has a temporary or permanent physical disability that requires the use of a wheelchair, walker, braces or crutches,
- b. Has temporary or permanent loss of the use of one or both legs, or
- c. Is certified by a physician having an unlimited license to practice medicine in the State of Indiana to be severely restricted in mobility, either temporarily or permanently, by a pulmonary or cardiovascular disability, arthritic condition or orthopedic or neurological impairment, or
- d. Has procured and prominently displays a temporary handicapped placard as issued by the Bureau of Motor Vehicles for the State of Indiana.

4. The fact that a motor vehicle is owned by a person and the fact that a motor vehicle is in a parking place shall be prima facie evidence that a motor vehicle was parked in the parking place by the owner as pertains to this ordinance.

5. Automobiles shall be deemed improperly parked when they are on the parking lot during any hours that it is closed for public usage, unless such cars shall be properly identified as belonging to an employee of one of the stores in the shopping center. Further, the stopping, standing, or parking of vehicles in the shopping center shall be limited to the amount of time required to patronize the stores of the merchants and/or lessees of the I K Partners Shopping Center during the normal business hours of the merchants.

6. Loitering or unauthorized assembly of pedestrains in the parking area, without the intent of patronization of merchants located in the shopping plaza, during or after normal business hours, shall also be subject to regulation and enforcement under the provisions of this ordinance. Loitering and unauthorized assembly of pedestrains shall be deemed a further violation of this ordinance.

7. Abandoned, junked or unattended motor vehicles located on the shopping center premises shall be treated in accordance with