





## GOLF CARTS

### § 72.40 PURPOSE.

This subchapter is adopted in the interest of public safety. A golf cart is not designed or manufactured to be used on public streets and roads, and the town in no way advocates or endorses their operation on its streets. All persons operating golf carts must be observant of, and attentive to, the safety of themselves and others, including passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride in golf carts on streets within the town do so at his, her, or their own peril. The town assumes no liability for the operation of golf carts within the town based on this subchapter. This subchapter is not intended to authorize any other vehicle, such as but not limited to ATVs, go-carts, lawn mowers, or off-terrain vehicles beyond what is permitted by state law.

(Ord. 2016-06, passed 7-18-2016)

### § 72.41 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**MOTORIZED CART** or **CART**. An electric or gasoline powered motor vehicle, commonly called a **GOLF CART**, designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

(Ord. 2016-06, passed 7-18-2016)

### § 72.42 REGISTRATION.

(A) Prior to operation on roads, highways, and other public rights-of-way within the corporate limits of the town, a motorized cart shall be inspected by the town's Police Department for basic road worthy status and registered by its owner with the town's Clerk-Treasurer. Written proof of financial responsibility is required at registration. A decal will be issued upon registration and shall be affixed to the right rear fender area as to be fully visible when the cart is in operation.

(B) A registration fee, the amount of which shall be set by the Town Council from time to time, for each cart registered shall be payable at the time of registration, and will be in effective for a period of one calendar year. All registration fees for motorized carts are to be deposited in the town Police Department's Continuing Education Fund.

(C) The owner of every motorized cart operated on private roads, highways, and other public rights-of-way shall maintain the state required minimum amount of financial responsibility for the operation of said golf cart, and shall furnish proof of financial responsibility as defined in I.C. 9-25-2-3 in the following amounts: \$25,000 bodily injury or death of one individual; \$50,000 for bodily injury two or more individuals in any one accident and \$10,000 for the damage to or destruction of property in one accident; these amounts shall be subject to change and set by the Town Council from time to time. Written proof of financial responsibility must be carried by the operator at all times.

(Ord. 2016-06, passed 7-18-2016) Penalty, see § 72.99

### § 72.43 OPERATIONAL REGULATIONS.

(A) Motorized carts shall be maintained in proper working condition with all equipment in

working order.

(B) All golf carts must display a red or amber light at times when headlamps are necessary for other motor vehicles, which light must be visible from a distance of no less than 500 feet from the rear of the golf cart or vehicle. In addition, if said golf cart is operated at times when headlamps are necessary, said golf cart must be equipped with both headlights and taillights that are in working order. In addition, all golf carts must be equipped with a rearview mirror.

(C) Motorized carts shall be identified with a slow moving vehicle sign as prescribed by I.C. 9-21-9.

(D) Only persons possessing a valid driver's license issued by the State of Indiana, another state of the United States of America or an international agency shall be permitted to operate a motorized cart on private roads, highways, and other public rights-of-way.

(E) The number of passengers allowed in a golf cart, for the purpose of this subchapter, is limited to the manufacturers' designed seating capacity (i.e., two passengers per bench seat).

(F) Children less than 48 pounds must be in a child safety restraint seat and secured to the cart seat.

(G) Motorized carts shall not be operated on the town's sidewalks, greenway trails, or within any of the town parks.

(H) Motorized carts shall not be operated on either State Road 10 or State Road 39 within the town's corporate limits.

(I) The direct crossing of State Road 39 and State Road 10 by motorized carts shall be permitted.

(J) The operator of all motorized carts must yield to overtaking traffic.

(Ord. 2016-06, passed 7-18-2016) Penalty, see § 72.99

#### **§ 72.44 EXEMPTIONS.**

An exemption may be issued for a limited time, location, and purpose by the Town Council as occasions and conditions so require, such as on a date and location certain, for a limited time, for the purpose of parade participation or festivals.

(Ord. 2016-06, passed 7-18-2016)

#### **§ 72.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 70.99 of this code of ordinances.

(B) Upon violation of §§ 72.01 through 72.11 by any person, the Marshal or Deputy may at his, her, or their discretion issue a citation:

(1) Requiring the owner of the bicycle that is the subject of said violation to deliver and surrender said bicycle to the town's Police Department for a period not to exceed 30 days; and/or

(2) Imposing a fine according to a schedule of fines as shall be modified from time to time by the Town Council and made available for public inspection in the Clerk-Treasurer's office, as prescribed by the provisions of § 70.99.

(Prior Code, § 62-181)

(C) Skateboard, roller skate, in-line roller skate, and similar device violations as defined by the town code shall be subject to fines, the amount of which shall be set by the Town Council from time to time. On a second or subsequent offense, the skateboard, roller skate, in-line roller skate, or similar device will be confiscated if the violator is under the age of 18 years old and will be returned to a parent or guardian upon payment of the fine.

(D) (1) It shall be the policy of the town's Police Department to issue a uniform traffic citation to any person the officer has probable cause to believe has violated a provision of Indiana Codes or the town Ordinance while operating a motorized cart.

(2) It shall be the policy of the town that an unregistered motorized cart is in violation of the Indiana Code requiring a municipal ordinance approving the use of the motorized cart and the cart will be towed and the operator issued an Indiana Uniform Traffic Citation pursuant to I.C. 9-21-1-3.3(a).

(3) It shall be the policy of the town's Police Department that any motorized cart found operating in violation of §§ 72.40 through 72.44 shall be subject to fines, the amount of which shall be set by the Town Council from time to time.

(4) A fine assessed for a violation of §§ 72.40 through 72.44 and/or a traffic ordinance associated with these subchapters will be deposited in the town's General Fund.

(Ord. 2009-02, passed 5-18-2009; Ord. 2016-06, passed 7-18-2016)

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