

Ordinance _____
TOWN OF LEO-CEDARVILLE, INDIANA

**AN ORDINANCE ALLOWING GOLF CARTS AND OTHER OFF-ROAD VEHICLES
ON THE STREETS UNDER THE JURISDICTION OF THE TOWN OF LEO-
CEDARVILLE**

WHEREAS, the State of Indiana through I.C. 9-21-1-3.3 has provided guidance to municipalities for the local regulation of golf cars and off-road vehicles; and

WHEREAS, there continues to be a necessity in the Town of Leo-Cedarville for regulations with respect to golf cart traffic on and through the streets and alleys in the Town of Leo-Cedarville for the convenience of the citizens and visitors to the community, and to address traffic hazards and safety issues; and

WHEREAS, the provisions of this ordinance are deemed to be consistent with but not in conflict with or a duplication of the provisions of the Indiana Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Leo-Cedarville as follows:

DEFINITIONS

For the purpose of this ordinance, the following definitions shall apply unless the content clearly indicates or requires a different meaning:

- (a) “Driver’s License” – A valid current license to operate a motor vehicle issued by Indiana or any other state.
- (b) “Financial Responsibility” – Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.
- (c) “Golf Cart” shall have the definition provided in Indiana Code 9-13-2-69.7. As it now exists, that term means: a four wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.
- (d) “Highway” shall have the definition provided by I.C. 9-13-2-73.
- (e) “Low Speed Vehicle” shall have the definition provided in I.C. 9-13-2-94.5
- (f) “Off-road vehicle” shall have the definition provided in Indiana Code 14-8-2-185.
- (g) “Operate” shall have the definition provided in Indiana Code 14-16-1-4.

(h) "Street" shall have the definition provided by I.C. 9-13-2-73.

1. OPERATION OF GOLF CART OR OFF ROAD VEHICLE

The operation of a golf cart or off road vehicle on a highway, street, road, or alleyway under the jurisdiction of the Town of Leo-Cedarville is strictly prohibited unless the golf cart or off road vehicle is operated and equipped in full compliance with this ordinance.

OPERATOR

Only persons over sixteen (16) years of age and holding a valid, current driver's license may operate a golf cart or off road vehicle on a street, highway or in the public right of way.

2. FINANCIAL RESPONSIBILITY PROOF

The operator of a golf cart or off road vehicle must show proof of financial responsibility when operating a golf cart or off road vehicle. Written proof of financial responsibility must be available either on the golf cart/off road vehicle or carried by the operator at all times.

3. TIME OF OPERATION

Golf carts and off road vehicles shall not be operated on the Town streets during one-half hour after sunset to one-half hour before sunrise unless the golf cart or off road vehicle is equipped with two operating headlights (one on each side of the front of the golf cart or off road vehicle) and two operating tail lights with brake lights (one on each side of the rear of the cart or vehicle) which are visible from a distance of five hundred (500) feet.

4. PLACE OF OPERATION

Golf cars and off road vehicles may be operated on Town streets. Golf carts and off road vehicles may not be operated on State Road 1 or any other state or federal highway except to cross said highways at a ninety (90) degree angle.

5. OCCUPANTS

The number of occupants in a golf cart or off road vehicle shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart or off road vehicle. The operator and all occupants shall be seated in the golf cart or off road vehicle and no part of the body of the operator or occupant shall extend outside the perimeter of the cart or vehicle while the cart or vehicle is being operated.

6. TRAFFIC RULES

The operator of the golf cart or off road vehicle shall comply with all traffic rules and regulations adopted by the State of Indiana and the Town of Leo-Cedarville which govern the operation of motor vehicles.

7. SLOW MOVING VEHICLE SIGN

All slow moving vehicle, golf cart or other off road vehicle that is not under ordinary circumstances moved, operated, or driven at a speed greater than twenty-five (25) miles per hour must display on the back of the vehicle a “slow moving vehicle” emblem in accordance with Indiana Code 9-21-9-1.

8. PENALTY

Operation of a golf cart or off-road vehicle on a highway, street, road or alleyway under the jurisdiction of the Town of Leo-Cedarville in a manner that violates the traffic rules and regulations adopted by the State of Indiana or the Town of Leo-Cedarville may be cited on a Uniform Traffic Ticket as a state infraction or a municipal ordinance violation as applicable. Any person operating a golf cart within the Town of Leo-Cedarville in a manner in violation of this ordinance shall be subject to a fine up to \$200 for each offense, plus court costs and attorney fees incurred by the Town in prosecuting the violation.

9. EFFECTIVE

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

If any provision of this ordinance is later found to conflict with state or federal law, such provision shall be stricken, and the remainder of the ordinance shall be enforced.

The provisions of all other ordinances in conflict with the provisions hereto are no further in force or effect and are hereby repealed.

Passed and adopted by the Town Council of the Town of Leo-Cedarville on this ____ day of _____, 2016.

Paul Steffens

Ray Pulver, Jr.

John Eastes

Gregory Peck

Scott Yoder

ATTEST:

Pamela Spannuth
Clerk/Treasurer