

ORDINANCE NO, 2017-19 |

AN ORDINANCE GOVERNING THE USE OF GOLF CARTS IN THE CITY OF GREENFIELD, INDIANA

WHEREAS, Ind. Code § 9-21-1-3, authorizes municipalities to regulate the operation of golf carts on its public streets; and

WHEREAS, some residents have expressed a desire to operate golf carts on certain streets within Greenfield's jurisdiction; and

WHEREAS, upon investigation, the common council of the City of Greenfield has determined that golf carts may be safely operated on some public streets without presenting an imminent danger to golf cart operators, pedestrians, or drivers; and

WHEREAS, Greenfield now desires to authorize the operation of golf carts on some public streets within Greenfield's corporate boundaries.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA, that Chapter 71 of the Code Of Ordinances of the City Of Greenfield is hereby amended by adding the following new sections:

SECTION I.

"§71.60. Definitions. For purposes of this ordinance, the following definitions shall apply:

A. "Street" shall mean a road or highway included in Greenfield's inventory and for which Greenfield has primary responsibility for maintenance and oversight.

B. "Golf Cart" or "Cart" shall mean a three or four wheeled motor vehicle originally and specifically designed and intended to transport one or more individuals for the purpose of playing the game of golf on a golf course, that is not capable of exceeding thirty (30) miles per hour in ordinary operation.

C. "Driver's License" shall mean a license valid for the operation of a motor vehicle on public roads and highways in the state of Indiana, which was issued by the State of Indiana or another State.

D. "Greenfield Golf Cart Permit" shall mean and refer to the permit required for any Golf Cart operating on the streets of Greenfield pursuant to this ordinance. The Permit shall be issued by the Greenfield Chief Of Police or his designee. The Permit shall be placed on the right rear fender of the Golf Cart.

E. "Proof of Financial Responsibility" shall mean, pursuant to Indiana Code § 9-25-2-3, proof of ability to respond in damages for liability that arises out of the ownership, maintenance, or use of a Golf Cart in the following amounts:

(1) Twenty-five thousand dollars (\$25,000) because of bodily injury to or death of any one person;

(2) Subject to the limit in subdivision (1), fifty thousand dollars (\$50,000) because of bodily injury to or death of two or more persons in any one accident; and

(3) Ten thousand dollars (\$10,000) because of injury to or destruction of property in any one accident.

§71.61. Application. This ordinance applies to Greenfield Streets and other public ways. Nothing herein shall be construed to apply to or limit the use of golf carts on (a) golf courses; (b) private property or (c) Greenfield's use of golf carts on Greenfield's municipal property for official purposes.

§71.62. Permitted Use. To protect the safety of residents, no person shall operate a Golf Cart on any street within the City of Greenfield except as hereinafter provided:

A. No person shall operate a Golf Cart on any street within the City of Greenfield without first registering the Golf Cart and obtaining a Greenfield Golf Cart Permit for the Golf Cart.

B. No person shall operate a Golf Cart on any street unless they have a valid Driver's License, be at least sixteen (16) years and one hundred eighty (180) days of age and hold either an identification card issued under IC 9-24-16.5 or a photo exempt identification card issued under IC 9-24-16.5, and the Golf Cart owner and operator has Proof of Financial Responsibility.

C. No Golf Cart shall be operated on any state or federal street or highway (except to cross the street or highway at right angles at a street intersection), on any sidewalk (except to cross the sidewalk at right angles at a street intersection), on the Pennsy Trail (except to cross the Pennsy Trail at right angles at a street intersection), or any street with a posted speed limit in excess of 30 miles per hour. This prohibition is not intended to apply to official participants in parades, festivals, or similar events.

D. No Golf Cart shall be operated on Apple Street, Broadway Street, Franklin Street, or McKenzie Street between the hours of 7 AM to 9 AM and 4 PM to 7 PM.

E. No Golf Cart shall be operated in any school zone between the hours of 7 AM to 9 AM or 2 PM to 4 PM.

F. No Golf Cart shall be parked on a street at any time.

G. No Golf Cart shall be operated on a street between sunset and sunrise.

H. No Golf Cart shall carry more passengers than allowed per the manufacturer's rating on said Golf Cart.

§71.63. Required Equipment. In order to obtain a Greenfield Golf Cart Permit, the Golf Cart must be in compliance with the following requirements:

A. The Golf Cart must be equipped with a triangular slow moving vehicle emblem as set forth in IC 9-21-9-2. No light bar shall be installed on a golf cart.

B. The Golf Cart must be equipped with working headlights, taillights, rearview mirrors, and turn signals. The lights shall be activated at all times that the golf cart is being operated on a city street.

C. The cost for the Greenfield Golf Cart Permit shall be \$50.00 and the Permit shall be valid for two years.

§71.64. Penalties. Any person who violates Sections 71.62 or 71.63 shall be issued a uniform ordinance violation citation in the following amounts which shall be processed by and paid into the Greenfield general fund as follows:

- A. First Offense: Fifty Dollars (\$50.00);
- B. Second Offense within one (1) year: One Hundred Dollars (\$100.00); and
- C. Third Offense and each additional offense within one (1) year: Two Hundred Fifty Dollars (\$250.00). In addition, the Greenfield Golf Cart Permit shall be revoked.

If the penalties are not paid within thirty (30) days, the penalties shall be double the original amount and if not paid within ninety (90) days, the Greenfield Golf Cart Permit shall be revoked and the Golf Cart impounded if found on public property.

SECTION II.

If any part of this ordinance is deemed invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.

SECTION III.

This ordinance shall become effective upon adoption and publication as required by law.