

ORDINANCE NO. 2020- 3

Town Council, Fairview Park, Indiana

AUTHORIZING THE OPERATION OF GOLF CARTS ON TOWN STREETS

WHEREAS, residents of the Town Of Fairview Park have requested the Town permit the use of golf carts for travel on Town streets; and

WHEREAS, the Fairview Park Town Council has considered the volume, speed and character of traffic on the town streets; and

WHEREAS, it is the intent of this ordinance to regulate the use of golf carts within the corporate limits of the Town of Fairview Park as authorized by State Statute 9-21-1-3.3 and Indiana HEA 1483

now therefore, be it **ORDAINED** by the Town Council that a new section be added to the Fairview Park Municipal Code, to be effective upon its publication, as follows:

_____ Rules and Regulations for Operation of Golf Carts on Town Streets

(A) Golf carts may be operated on the streets of the Town under the following rules and regulations:

1. Any person who operates a golf cart in the Town of Fairview Park takes full responsibility for all liability associated with said operation.
2. Any person who operates a golf cart must be at least eighteen (18) years of age and have a valid state issued driver's license (any state).
3. There must be insurance coverage of at least one hundred thousand dollars (\$100,000) per person and three hundred thousand dollars (\$300,000) per occurrence. This is to cover persons and/or property injured/damaged as a result of the golf cart's operation.
4. Operation of golf carts prohibited during inclement weather when road conditions, such as snow and ice, would make it unsafe to operate golf carts on the streets of the Town of Fairview Park.
5. Golf carts will have headlights emitting white beam of light (visible from 500 feet) and taillights emitting a red beam of light (visible from 100 feet) on during operation upon any Town streets.
6. Golf carts must not be operated when visibility is impaired by weather or other conditions where there is insufficient light to clearly see persons or other vehicles on the roadway at a distance of 500 feet.
7. Golf carts may **not** be operated on any state highways or county roads. They may cross these roads **only** at right angles.
8. Golf carts may **not** be operated at speeds above that as deemed safe by the manufacturer of the vehicle and never more than twenty (20) miles an hour.

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9. Golf carts must have the following equipment:
 - a. Brakes
 - b. Steering Apparatus
 - c. Four (4) Tires
 - d. Rearview Mirror
 - e. Red Slow Moving Vehicle Triangle
 - f. Headlamp Emitting White Light 500 Feet to the Vehicle Front
 - g. Tail Lamp Emitting Red Light 100 Feet to the Vehicle Rear
 - h. Brake Lights
 - i. Turn Lights
 - j. Seatbelts for Operator and Passengers
 - k. Horn
10. Persons operating golf carts on Town streets must obey all Indiana Traffic Regulations.
11. All passengers must have a place to sit that was specifically designed by the manufacturer for that purpose.
12. Children may not be passengers on any golf cart until they no longer require special child restraint systems.
13. All golf carts must be inspected by the Fairview Park Police Department and be issued the appropriate permit and documentation prior to operation on Town streets.

(B) Golf Cart Permits

1. Permits shall be granted for a period of one (1) year or five (5) years. If the owner obtains a one year permit, a new permit must be obtained each year prior to operation of the golf cart on Town streets (and upon expiration of a five year permit).
2. The cost for inspection and permit fees is thirty (\$30.00) dollars per year, or (\$100.00) dollars for five (5) years. Proof of insurance will be required at the time a permit is issued.
3. If an owner obtains a five year permit, the owner **must** still have the cart inspected each year by the Fairview Park Police Department on or before the anniversary date of the permit's issuance after the initial inspection fee. No fee shall be charged for the annual inspection to holder of a five year permit.
4. The Fairview Park Police Department is the sole authority for issuing permits and may revoke or refuse to issue a permit for any reason they deem appropriate.
5. Permits must be affixed to the rear of the golf cart as directed during the inspection and the issued documentation must be available when requested by an officer. Sale of a golf cart voids the permit and the new purchaser must apply for a permit in their name.

(C) Enforcement

1. Any violation of this ordinance is punishable, if found guilty, by a fine in the amount of not less than twenty-five dollars (\$25.00) and not more than seventy-five dollars (\$75.00).

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2. A permit can be revoked permanently for multiple violations or if a single violation is of such a nature that it presents an extreme safety violation based on irresponsible operation. The registered owner is responsible for the golf cart and its safe operation; allowing another person to operate the golf cart does not relieve them from this responsibility.

(D) Definitions

- X1. "Golf cart" refers to a vehicle manufactured specifically to transport golf clubs and passengers for the purpose of playing golf. It does not include any other type of vehicle such as an all terrain vehicle or farm service vehicle.
2. "Operator" refers to the person having operational control vehicle.
3. "Town streets" refers to those roadways that the Town of Fairview Park has the responsibility to maintain.

Passed on first reading 8th day of September, 2020.

Passed and adopted on second reading this 8th day of September, 2020.

FAIRVIEW PARK TOWN COUNCIL

1st Ward	<u>Jan A. Helle</u>	3rd Ward	<u>Angela L. Cox</u>
2nd Ward	<u>Larry E. Natalie</u>	4th Ward	<u>Holly J. Wilson</u>
		5th Ward	<u>James F. Moore</u>

ATTEST:

Melisa Carty
Melisa Carty, Clerk-Treasurer

Presented by me to the Town Council this 8th day of September, 2020.

Melisa Carty
Melisa Carty, Clerk-Treasurer

Approved by the Town Council, this 8 day of September, 2020.

Larry E. Natalie
Larry Natalie, Town Council President