

ORDINANCE # 17-2015

AN ORDINANCE TO PERMIT AND REGULATE THE USE OF GOLF CARTS ON CITY STREETS

WHEREAS, the State of Indiana has enacted Indiana Code 9-13-2-69.7, a definition of “Golf Carts” which vehicles may be allowed to operate on city streets and cross state highways, provided the city has adopted an appropriate ordinance not in violation of state law; and

WHEREAS, the City does wish to provide for limited use of golf carts on Batesville City streets.

NOW THEREFORE BE IT RESOLVED ESTABLISHED AND ORDAINED BY THE CITY COUNCIL OF BATESVILLE INDIANA AS FOLLOWS:

The City Ordinance, Chapter 71: Traffic Rules, is hereby amended by adding the following:

§71.31 GOLF CARTS

A. Definitions

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates a different meaning:

- 1) “Golf Cart” shall have the definition provided by Indiana Code 9-13-7-69.7. As it now exists, that term means a four wheeled motor vehicle originally and specifically 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.
- 2) “Driver’s License” shall be defined as a valid current license to operate a motor vehicle issued by the State of Indiana or any other state.
- 3) “Financial Responsibility” shall mean liability insurance coverage on a golf cart in an amount not less than that required by Indiana law for motor vehicles operated on public highways in the state of Indiana.

B. Operation of a Golf Cart

The operation of a golf cart within the City of Batesville is strictly prohibited unless the golf cart is operated and equipped in full compliance with this section and Indiana law for motorized vehicles. Golf carts may only be operated on city streets except as restricted below.

1. Operators of golf carts shall at all times yield the right-of-way to faster moving traffic, and may not impede the regular flow of traffic.
2. Golf carts on streets of the City of Batesville, Indiana are to be equipped with all equipment required for motorized vehicles under Indiana law including but not limited to seatbelts for all passengers, car seats for minors, turn signals, two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of 500 feet.
3. Golf carts shall be identified as slow moving vehicles by a state approved triangular slow moving vehicle sign with the top of the sign positioned a

minimum of five feet and a maximum of six feet above the road surface and clearly visible at all times while being operated on city streets.

4. The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. All persons must be wearing the appropriate safety restraints as required by Indiana law including but not limited to car seats and safety belts.
5. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion.
6. Only persons over 16 years of age and holding a valid driver's license may operate a golf cart.
7. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of Indiana and the City of Batesville which govern the operation of motor vehicles.
8. Beginning January 1, 2016, all golf carts operated on the city streets of the City of Batesville shall be registered with the City of Batesville and bear a registration sticker. The city shall collect a fee for said registration, which shall be set from time to time by the Board of Public Works and Safety.
9. The financial ability of the operator or owner notwithstanding, the operator of a golf cart must show financial responsibility when operating a golf cart.
10. Written proof of financial responsibility must be available either on the golf cart or carried by the operator at all times.
11. Liability insurance coverage on a golf cart shall be in an amount not less than the minimum required by Indiana law for motor vehicles operated on public highways in the State of Indiana.
12. Golf Carts are prohibited on all sidewalks, private property, and State highways.
13. Golf Carts are prohibited on
 - a. Walnut Street, north of Boehringer (SR 229)
 - b. Main Street, south of Boehringer (SR 229)
 - c. Pearl Street from Depot Street to Coonhunters Road
 - d. SR 46, SR 129, and SR 229 (These roads may be crossed over but not driven on.)

C. Penalty

A violation of any provision of this chapter shall constitute a violation of the City of Batesville Code of Ordinances. An owner, lessee, or operator may be cited to appear in a court of competent jurisdiction. Upon a finding by such court that an owner, lessee, or operator of a golf cart has violated any provision of this chapter, such person shall be subject and determined to have committed a Class C infraction subject to a fine not to exceed \$200 for each offense along with court costs and other fees determined by ordinance or statute.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Batesville, Indiana that this ordinance is primarily adopted by the Common Council of the City of Batesville, Indiana and approved by me as Mayor this 12th day of October, 2015, under suspension of rules.

Ayes: Meyers, Fritsch, Chaffee

Absent: Cox

Whole number of Council being four.

Whereupon, the Mayor declared said Ordinance primarily adopted.

Gene Lambert, Mayor

ATTEST:

Ronald C. Weigel, Clerk-Treasurer