

## ORDINANCE 2021-008

### **An Ordinance Amending and Restating Ordinance 2021-006, 2018-017 and 2007-009 Regulating the Use of Golf Carts Within the Corporate Limits of the Town of Culver**

**WHEREAS**, there has been an increase in use of golf carts operated on public streets, roads, alleys, and walkways within the Town of Culver, Indiana; and

**WHEREAS**, the Town Council believes that to help preserve the health and safety of its citizens that it is necessary to regulate the use of golf carts operated on streets, roads, alleys, and walkways within the Town limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Culver, Indiana as follows:

Section 1. For purposes of this Ordinance, a golf cart shall be included in the definition of a slow-moving vehicle as the same is defined in I.C. 9-21-9-1 as a "vehicle that is (1) pulled; (2) towed; (3) self-propelled; or (4) animal drawn; that is not under ordinary circumstances moved, operated, or driven at a speed greater than 25 miles per hour." Golf carts cannot be operated on State Highways per state statute.

Section 2. To operate a golf cart on any street, alley, or road within the limits of the Town of Culver, a driver of such a golf cart must have a valid driver's license ~~be at least 16 years and 180 days of age and hold either an identification card issued under IC 9-24-16 or a photo exempt identification card issued under IC 9-24-16.5 (see IC 9-24-1-7 for more information).~~

Operating a golf cart is the same as operating a motor vehicle. Operators of said golf carts should not operate their cart or vehicle under the influence of alcohol or drugs as you can be arrested for driving under the influence of alcohol or drugs on a golf cart. Open container laws regarding possession of alcoholic beverages in motor vehicles and in public places shall apply to operators and passengers of golf carts as described under Indiana Code 9-30-15-3:4 and Town of Culver Ordinance 2011-005. Indiana Code restricting the use of a telecommunications devices while operating a moving motor vehicle shall apply to the operation of a golf cart, and will be subject to the same restrictions as under Indiana Code (see IC 9-21-8-59 for more information).

Section 3. All golf carts must have insurance for use on public streets on said golf cart and have proof of such insurance in the golf cart at all times during the operation of said golf carts in the Town of Culver, and must be provided to town staff during registration.

Section 4. Indiana code requires that all slow moving vehicles, including golf carts, must display a red or amber flashing light at times when headlamps are

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

Section 5. While operating said golf cart within the Town of Culver, any operator of the same must abide by all State and local traffic laws and ordinances in the operation of said golf cart. ~~Golf carts are not to be driven or parked on the public sidewalks or trails.~~

Section 6. All provisions of the Slow-Moving Vehicle Statute of the State of Indiana found at I.C. 9-21-9 shall be adhered to always by those operating a golf cart within the Town of Culver. Golf carts are not to be driven over curbs or over others' private property. Golf carts will use regular designated parking spaces within the Town of Culver and public park.

Section 7. Any person who wishes to operate a golf cart in the Town of Culver must register the same with the Culver Police Department and pay a registration fee of Sixty Dollars (\$60.00) on an annual basis and have attached to said golf cart a sticker provided by said Town noting said vehicle has been properly registered with the Town. Registrants who apply for a golf cart permit after September 15 each year will pay a registration fee of Forty Dollars (\$40.00). A copy of the town registration form must be kept in the vehicle when operated on public streets. The required registration sticker, along with an approved traffic safety slow moving vehicle sign, must be visibly mounted to the rear of the vehicle, and the registration sticker must remain visible at all times during operation of the vehicle.

Section 8. While in operation, such golf carts must carry no more passengers than such golf carts are equipped to handle, and all passengers must be seated at all times. Children under 36 inches in height are not to be passengers on golf carts on public streets, alleys, or roads in the Town of Culver. Under no circumstances should a child under the age of 16 years and 180 days old be allowed to operate a golf cart in the Town of Culver, and adult passengers or drivers are not to hold passengers on their lap while the vehicle is in operation.

Section 9. No golf cart shall be allowed in any area of Town designated as a Park without the prior approval of the Park Department Superintendent. Golf carts shall remain only in areas designated for vehicles unless otherwise approved by the Park Superintendent. Handicap access will be allowed with written permission from the Park Superintendent only to and from boat rental piers operated by the Park Department. Golf carts will not be driven and or parked on any grassy area within the public park.

Section 10. If a person cannot meet any of the above criteria, that person may make a written request with the Town Council for an exception to the provisions of this Ordinance. Such written request shall set forth the item or items that cannot be met by said person, and the reasons for that, and shall state why the Town Council should allow an exception to any of the terms and provisions of this Ordinance. The Town Council shall have the authority to grant

or deny any such exceptions following the receipt of such a written request and the appearance of the person making such request at a Town Council meeting, by establishing in writing the reasons for the granting or denying of the exception(s) so requested.

Section 11. Anyone violating any of the provisions of this Ordinance shall be subject to a fine of one hundred-fifty Dollars (\$150.00) per violation. If a person is cited for a violation of this Ordinance more than three (3) times, the registration shall be revoked for that individual and/or golf cart and said individual and/or golf cart shall no longer be allowed to operate in the limits of the Town of Culver under this ordinance at the discretion of the Culver Police Department.

PASSED AND ADOPTED by the Town Council of the Town of Culver, Indiana, on the <sup>11<sup>th</sup></sup> ~~10<sup>th</sup>~~ day of May  
November, ~~2020~~ 2021

CULVER TOWN COUNCIL  
TOWN OF CULVER, INDIANA

By Bill Githens  
Bill Githens, President

By Bill Hamm  
Bill Hamm

By Sally Ricciardi  
Sally Ricciardi, Vice-President

By Richard West  
Richard West

By William C. Cleavenger  
William Cleavenger

ATTEST:

Karen Heim  
Karen Heim, Clerk-Treasurer