

Acknowledgment of Understanding
Ordinance # 2009-6
Regulating the Use of Golf Carts on the
Town of Markle Streets

I, _____, hereby acknowledge that I have read and understand all of the rules and regulations in the Town of Markle's Golf Cart Ordinance 2009-6.

Insurance Policy Number and Company _____

Insurance Agent and Phone Number _____

Vehicle Identification Number _____

Headlamps: Yes / No

Tail lamps: Yes / No

Slow moving vehicle sign: Yes / No

Permit Number _____

COPY

ORDINANCE # 2009- 6

AN ORDINANCE REGULATING THE USE OF
GOLF CARTS ON TOWN STREETS

WHEREAS, the Town Council ("Council") of the Town of Markle, Indiana ("Town") has authority to make necessary regulations for the preservation of the rights, property, health, safety, and welfare of its citizens; and

WHEREAS, the Indiana General Assembly has enabled cities and towns to adopt an ordinance regulating or prohibiting the operation of golf carts on streets within their municipal boundaries; and

WHEREAS, the Council has determined that it is in the best interests of the citizens of the Town to enact such an ordinance.

THEREFORE, BE IT ORDAINED that the Town's Code of Ordinances shall be and hereby is amended by inserting the following as Chapter 76 of Title VII of that Code:

"CHAPTER 76

GOLF CARTS

Sections:

- 76.01 Definitions
- 76.02 Unlawful Operation of a Golf Cart
- 76.03 Requirement of Local Registration
- 76.04 Requirement of Driver's License
- 76.05 Requirement of Financial Responsibility
- 76.06 Time of Operation and Nighttime Restrictions
- 76.07 Slow Moving Vehicle Reflective Sign
- 76.08 Place of Operation
- 76.09 Traffic Laws and Ordinances
- 76.10 Occupants
- 76.11 No Towing
- 76.12 Exceptions
- 73.13 Revocation of Registration and Eligibility to Operate Golf Cart
- 76.99 Penalties and Fines

§76.01 Definitions.

For purposes of this Chapter, the following capitalized terms shall have the definitions provided:

A. "Golf Cart" means a four (4) 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.

B. "Financial Responsibility" shall have the meaning given in IC 9-25-4-1, *et seq* as it now reads or is subsequently amended.

C. "Town Street" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel within the corporate limits of the Town. Town Street includes, but is not necessarily limited to, streets, alleys, roads, highways, and thoroughfares.

D. "Slow Moving Vehicle Reflective Sign" means a triangle shaped reflective sign of the same type required under Indiana Law.

E. "Operate" means to exercise any control over the function or movement of a Golf Cart.

F. "State Highway" means any street under the control of and maintained by the State of Indiana and shall include, but not be limited to, U.S. 224 (Legal Street), Ind. 3 (Clark Street), Ind. 116 (Morse Street).

§76.02 Unlawful Operation of a Golf Cart.

It shall be unlawful to operate a Golf Cart on any Town Street except as specifically authorized by this Chapter. Any person who operates a Golf Cart in violation of this Chapter shall be subject to penalty as set forth in this Chapter.

§76.03 Requirement of Local Registration.

A. Local Registration Required.

1. Any Golf Cart operated on a Town Street shall be registered with the Markle Police Department.

2. The annual registration certificate will be valid from March 1st until November 30th of the year in which it is issued.

3. The then current registration certificate shall be maintained on or about the Golf Cart at all times that it is in operation.

B. Registration Fee.

1. Each registrant shall provide the Vehicle Identification Number, and proof of Financial Responsibility, and shall pay a registration fee of Twenty Five Dollars (\$25.00) for each Golf Cart to be registered for that year or the remaining portion thereof; or

2. A temporary registration may be purchased for a period of time not to exceed five (5) consecutive days for a fee of Ten Dollars (\$10.00).

§76.04 Requirement of Driver's License.

The Operator of a Golf Cart on a Town Street must have been issued a valid driver's license issued by the State of Indiana or any other State of the United States of America and must possess that license while operating a Golf Cart.

§76.05 Requirement of Financial Responsibility.

No person may operate a Golf Cart on any Town Street unless Financial Responsibility is in effect with respect to the Golf Cart as provided under IC 9-25-4-4, as it now reads or is subsequently amended.

§76.06 Time of Operation and Nighttime Restrictions.

A. No Golf Cart shall be operated on a Town Street between the time of one-half (½) hour before sunset and one-half (½) hour after sunrise unless the Golf Cart is registered under this Chapter and equipped with two (2) headlamps, two (2) tail lamps, front and rear turn lamps, and rear brake lamps, all of which must be visible from a distance of at least five hundred (500') feet.

B. Registered Golf carts shall only be operated on Town Streets between March 1st and November 30th during any calendar year.

§76.07 Requirement of Slow Moving Vehicle Sign.

No Golf Cart shall be operated on a Town Street unless the Golf Cart is equipped with a properly displayed Slow Moving Vehicle Reflective Sign clearly visible from behind.

§76.08 Place of Operation.

No Golf Cart shall be operated on or at any of the following:

A. Any Town Street or any portion of any Town Street where the speed limit in effect at the place of operation is greater than thirty (30) miles per hour;

B. Any Town Street designated as a State Highway (Logan Street, Clark Street, and Morse Street), except to cross any State Highway at intersections perpendicular to said State Highway.

C. Any sidewalk, public trail, or public greenway not specifically designated for use by a motor vehicle.

§76.09 Traffic Laws and Ordinances.

The operator of a Golf Cart on a Town Street shall comply with all then effective traffic laws, ordinances, rules and regulations adopted by the State of Indiana and the Town.

§76.10 Occupants.

A. The number of occupants of a Golf Cart shall be limited to the lesser of the number of persons for whom factory seating is installed on the Golf Cart or six (6) persons. The operator and occupants shall be properly seated at all times and no part of the body of the operator or occupants shall extend outside the perimeter of the golf cart while the Golf Cart is in operation; excepting that the operator shall use proper traffic hand signals when required.

B. Minor as Operator. If the operator of a Golf Cart is under 18 years of age, no more than two (2) additional persons under the age of 18 are permitted to occupy that Golf Cart.

§76.11 No Towing.

No Golf Cart shall be used to tow any type of trailer or other vehicle.

§76.12 Exceptions.

A. The Markle Police Department shall have the authority to specifically permit the use of Golf Carts by identified persons at special events without compliance with specifically specified provisions of this Chapter; provided however, that the permission must be written, the operator of a Golf Cart must still be a licensed driver, and Financial Responsibility must be in effect with respect to the Golf Cart.

§76.13 Revocation of Registration and Eligibility to Operate Golf Cart.

Any unsafe operation, multiple violations, failure to maintain Financial Responsibility, or failure to pay fines in accordance to this Chapter may, as reasonably determined by the Town Marshal or the Marshal's authorized designee, result in the revocation by the Markle Police Department of a Golf Cart registration and the violator's eligibility to operate a Golf Cart within the Town for up to one calendar year.

§76.99 Penalties and Fines.

A. Failure to comply with this Chapter will result in fines and penalties as follows: 1st offense \$25.00 fine, 2nd offense \$50.00 fine, and each additional offense \$100.00 fine.

B. An offense is defined as each separate violation of this Chapter which occurs while operating a Golf Cart."

BE IT FURTHER ORDAINED that this Ordinance shall be in force upon adoption and publication as required by law.

Passed and adopted by the Town Council of the Town of Markle, Indiana this 16th
day of September, 2009.

TOWN COUNCIL OF THE TOWN OF MARKLE, INDIANA

By Tamara Boucher As Council
(Tamara Boucher) President

By Jeff Humbarger As Council
(Jeff Humbarger) Member

By Mark Hamilton As Council
(Mark Hamilton) Member

ATTEST:

By Carolyn Hamilton
(Carolyn Hamilton) Clerk-Treasurer