

**BARGERSVILLE ORDINANCE NO. 2009-14**

**AN ORDINANCE REGULATING THE OPERATION  
OF GOLF CARTS IN THE TOWN OF BARGERSVILLE**

WHEREAS, the Town Council of the Town of Bargersville Indiana, (hereinafter "Town Council" and "Town". respectively) finds that there has been an increase in the use of golf carts in the Town; and

WHEREAS, the Town Council has the authority to regulate the operation of golf carts within the Town's corporate limits, and it would be in the best interest of the Town to adopt an ordinance governing the operation of golf carts in the Town;

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

**Section 1. Definitions.**

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

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. "Driver's license" means a valid license to operate a motor vehicle issued by Indiana or any other state.

C. "Financial responsibility" shall have the meaning set forth in IC 9-25-4-1 et seq., as it now reads or hereafter may be amended.

D. "Town street" shall mean the entire width between the boundary lines of every way publicly maintained 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 of Bargersville. The term includes but is not limited to streets, alleys, roads, highways and thoroughfares.

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

**Section 2. Operation of Golf Carts.**

The operation of a golf cart within the Town of Bargersville on a Town street is strictly prohibited unless the golf cart is operated and equipped in full compliance with this Ordinance.

**Section 3. Requirement of Local Registration; Registration Fee.**

Each golf cart to be operated on a Town street shall be registered annually at the Town's Police Department. Each application for registration shall be made on a form supplied by the Town and shall contain the following information:

- A. The name and address of the applicant.
- B. Make, model name, year and serial number of the golf cart.
- C. Current driver's license number of the applicant.
- D. Proof of financial responsibility.
- E. Any such other information the Town may require.

Each registration certificate shall be issued for a period from the date of issuance through and including March 31 of the following year, at which time it will expire. A registration fee of twenty-four Dollars (\$24.<sup>00</sup>) shall be paid annually for each golf cart to be registered. If a registration certificate is issued for a period of less than one year, the fee will be prorated on a monthly basis, with the month of issuance being counted as an entire month. The annual registration fee may be changed from time to time by ordinance of the Town Council.

Each registration certificate shall be plainly visible from the rear of the golf cart for which it is issued.

#### **Section 4. Operator.**

Only persons over sixteen (16) years of age and holding a valid driver's license may operate a golf cart.

#### **Section 5. Financial Responsibility.**

The operator or owner of a golf cart must show financial responsibility when operating a golf cart. Written proof of financial responsibility must be available on the golf cart or carried by the operator at all times of operation of the golf cart.

#### **Section 6. Time of Operation.**

No golf cart shall be operated on any Town streets between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise, unless the golf cart is equipped with two (2) 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), all of which are visible from a distance of five hundred feet (500').

#### **Section 7. Place of Operation.**

Golf carts may be operated on Town streets which have a posted speed limit of thirty (30) miles per hour or less. Golf carts may not be operated on sidewalks or on the following highways, except to cross said highways at intersections in a path ninety (90°) degrees to said highways: State Road 135 and Old Plank Road.

#### **Section 8. Occupants.**

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. The operator and all occupants shall be seated in the golf cart and no parts of the bodies of the operator or any occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated.

#### **Section 9. Traffic Rules.**

The operator of a golf cart shall comply with all traffic rules and regulations adopted by the State of Indiana and the Town of Bargersville which govern the operation of motor vehicles.

**Section 10. Slow Moving Vehicle Sign.**

All golf carts must display on the back of the golf cart a "slow moving vehicle" sign of the same type required under Indiana law.

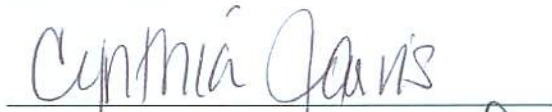
**Section 11. Penalty for Violation.**

A violation of each provision of this Ordinance is a Class C infraction, and the person found to be in violation of this Ordinance is subject to a fine not to exceed Two Hundred (\$200.00) Dollars for each offense, along with court costs in the amount that same now exists, or may hereafter be determined by ordinance or statute. An owner, lessee or operator may be cited to appear in a court of competent jurisdiction by issuance of an Indiana Uniform Traffic Ticket.

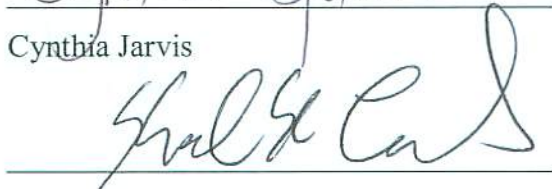
This Ordinance shall be in full force and effect from and after its passage and approval, any required publication, and the posting of any required signs giving notice of this Ordinance. Passed and adopted by the Town Council of the Town of Bargersville, Indiana, this 13<sup>th</sup> day of October, 2009.




Steve Welch



Cynthia Jarvis



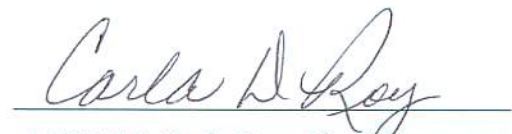
Karl Kevin Combs



Mike Kehl



James Inabnitt



ATTEST: Carla Roy, Clerk/Treasurer  
Town of Bargersville, Indiana