

GENERAL ORDINANCE NO. __3__, 2016

AN ORDINANCE ADDING ARTICLE VIII TO CHAPTER I OF TITLE III, THE SAME BEING THE PUBLIC HEALTH AND SAFETY ORDINANCE OF THE TOWN OF NORTH MANCHESTER TO ADD PROVISIONS AUTHORIZING AND REGULATING THE USE OF GOLF CARTS/UTVS WITHIN THE CORPORATE LIMITS OF THE TOWN OF NORTH MANCHESTER

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

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

WHEREAS, the Town Council is adopting this ordinance pursuant to Indiana Code 9-21-1-3 and is not intended to duplicate or conflict with state law.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF NORTH MANCHESTER, INDIANA, THAT TITLE III, CHAPTER I, ARTICLE VIII OF THE TOWN OF NORTH MANCHESTER MUNICIPAL CODE SHALL NOW READ AS FOLLOWS:

SECTION 1. DEFINITIONS. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) 1.1 Golf cart or Cart shall mean a four (4) wheeled motor vehicle that is gas or electrically powered originally and specifically designed and intended to transport one or more individuals for the purpose of playing the game of golf on a golf course.
- 1.2. UTV or Utility Task Vehicle shall mean a motor vehicle with 4 or more wheels that is gas powered, originally and specifically designed to be used for moving, hauling, or other tasks.
- 1.3. DRIVER'S license. A valid license to operate a motor vehicle issued by Indiana or any other state, or an Indiana ID, and having acquired the age of 16 years.
- 1.4. "Proof of Financial Responsibility" shall mean, pursuant to Indiana Code 9-25-2-3 proof of ability to respond in damages for liability that arises out of the ownership, maintenance or use of a Golf Cart in the following amounts:
1. Twenty five Thousand Dollars (\$25,000) because of bodily injury to or death of any one (1) person
 2. Subject to the limit in subdivision (1), fifty thousand dollars (\$50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident; and
 3. Ten thousand dollars (\$10,000) because of injury to or the destruction of property in any one (1) accident.
 4. Proof shall be provided at the time of registration

SECTION 2. STANDARD EQUIPMENT REGULATIONS.

1. All golf carts/UTV shall be equipped with the following:
 1. Brakes that are in good working condition
 2. One or more white lights that are visible from a distance of 500 feet to the front of the golf cart/UTV
 3. Taillights that are visible from a distance of 500 feet to the rear of the golf cart/UTV
 4. Rear working brake lights which are visible from a distance of 500 feet to the rear of the golf cart/UTV
 5. DOT approved slow moving vehicle sign on the back of the golf cart/ATV OR the cart shall have a safety flag on a staff holder to put such flag at least five (5) feet above the surface of the street.
 6. Rear view mirror.
 7. Front and rear working turn signals

SECTION 3. OPERATION. While operating the golf cart/UTV, the operator must abide by all of the following:

1. State Statutes and Ordinances of the Town of North Manchester that regulate motor vehicle traffic.
2. Place of operation; Golf carts/UTV may be operated on Town streets. Such may not be operated on any other State or Federal highway except to cross said highway at a ninety (90) degree angle.
3. Registration and inspection: Decals issued upon registration. Prior to operation on private roads, highways and all other public right of way, a golf cart/UTV shall be registered by its owner with the North Manchester Town Hall. Upon such registration the North Manchester Clerk's Office shall issue two (2) numerical identification decals to the owner and shall maintain a record of each identification number, along with name and address of registered owner. Identification decals shall be affixed to the front and rear fender areas of the cart/UTV so as to be fully visible when cart/UTV is in operation. Registration card is required to be kept with cart/UTV or in the possession of operator. Registration is valid for one (1) year. A registration fee of twenty five dollars (\$25.00) includes decals and registration card. In the case of UTV, which is to be registered with the Bureau of Motor Vehicles, the registration fee is waived, and registration card and decals will still be supplied to owner.

SECTION 4. PENALTIES.

Except as otherwise provided, any person violating a provision of this Article shall be deemed guilty of an offense and fined not less than fifty (\$50.00) dollars for a first offense, not less than one hundred (\$100.00) dollars for a second offense and not less than two hundred (\$200.00) dollars for all subsequent offenses, but no fine for any individual offense shall exceed twenty five hundred (\$2500.00) dollars.