

Synopsis: This Ordinance, if adopted, would authorize the use of golf carts on City streets in accordance with a new Chapter of the City Code of Ordinances, Chapter 75.5 - Golf Carts.

ORDINANCE NO. 6-C-24

AN ORDINANCE OF THE CITY OF HUNTINGTON, INDIANA AUTHORIZING GOLF CART OPERATION ON CITY STREETS

WHEREAS, Indiana Code 9-21-1-3.3 authorizes the City of Huntington, Indiana (City) Common Council (Council) to adopt by ordinance traffic regulations concerning the use of golf carts or off-road vehicles, or both, on a highway under the jurisdiction of the City: and

WHEREAS, Council determines that it is in the best interest of the City to authorize the use of golf carts and to adopt regulations for such use; and

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Huntington, Indiana, that a new Chapter in the City of Huntington Code of Ordinances, Chapter 75.5 Golf Carts, be established as follows:

“CHAPTER 75.5: GOLF CARTS

§ 75.5.01 UNLAWFUL OPERATION OF GOLF CARTS.

It shall be unlawful to operate a golf cart on any city street except as specifically authorized by this chapter. Any person who operates a golf cart in violation of this chapter shall be subject to penalties as set forth in this chapter.

§ 75.5.02 DEFINITIONS.

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

“Golf Cart” - A vehicle with four wheels originally designed for operation on a golf course and powered by a battery or internal combustion motor.

“Operate” - To exercise any control over the function or movement of a golf cart.

“Operator” – A licensed driver, sixteen (16) years of age or older.

“Driver’s License” - A valid license to operate a motor vehicle issued by Indiana or any other state.

“Financial Responsibility” - Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

§ 75.5.03 MINIMUM SAFETY EQUIPMENT

- All golf carts operated on city streets must have the following minimum safety equipment:
 - o Head lights (2)

- Taillights (2)
- Brake lights (red)
- Slow moving vehicle sign
- Side view or rear-view mirror
- Turn signals (front and rear)
- Horn
- Seat belts
- All minimum safety equipment shall be functional and in use at all times while the golf cart is operated on city streets.

§ 75.5.04 REGISTRATION

- All golf carts must register annually with the City Clerk-Treasurer's Office.
- Registration fee is \$40.
- Registration sticker shall be affixed to the front and rear of the golf cart.
- Registration must be renewed annually. All registrations will expire at the end of the calendar year and must be renewed prior to use the following calendar year.
- The Huntington Police Department may inspect the golf cart at the time of registration or anytime thereafter.

§ 75.5.05 HOURS/DAYS OF OPERATION

- Golf carts may only be operated on city streets during daylight hours
 - 30 minutes before sunrise to 30 minutes after sunset
- Golf carts are prohibited from November 1st through March 1st.

§ 75.5.06 GENERAL REGULATIONS/RESTRICTIONS

- Golf carts shall only be operated on city streets with a posted speed limit of 30 mph or less.
- Golf carts are strictly prohibited from State highways. (except for crossing SR5/Jefferson Street).
- Golf carts are strictly prohibited from US highways - Golf carts may not cross US24.
- Golf carts shall not be operated on any sidewalk, pedestrian walkway, multi-use path, jogging path, greenway or trail, except to cross at intersections on a perpendicular path.
- All golf carts shall be operated in compliance with all applicable local and State traffic laws, and the Operator may be ticketed in the same manner as motor vehicle operators.
- 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.
- 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 passengers shall remain seated in a designated seat and no extension of any body part outside the interior of the golf cart shall occur while the golf cart is being used and operated.
- Children under the age of 6 are prohibited from riding in a golf cart.

- No golf cart may be operated on a highway, as defined herein, except for the purpose of crossing a highway, perpendicularly, at an intersection within a city street. Except that golf carts may not cross US24.
- No golf cart shall be driven or parked on any private property without the consent of the property owner or on a sidewalk, public trail, or public greenway not specifically designated for use by a motor vehicle.
- No gas-powered golf cart shall be operated unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. IC 14-16-1-23.

§ 75.5.07 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 with this chapter may, as reasonably determined by the Police Chief or the Police Chief's authorized designee, result in the revocation of a golf cart registration and the violator's eligibility to operate a golf cart on city streets for up to one (1) calendar year.

§ 75.5.08 VIOLATIONS OF CHAPTER.

An offense is defined as each separate violation of this chapter which occurs while operating a golf cart.

Law enforcement officers may impound golf carts. In the event of impoundment, the golf cart shall not be released until the basis of the violation has been corrected and all towing and impoundment fees incurred as a result of the impoundment of the golf cart have been paid by the owner or operator of the golf cart.

§ 75.5.99 FINES FOR VIOLATION OF THIS CHAPTER

- First Violation \$100.
- Second Violation \$150.
- Third and Subsequent Violations \$200.”

NOW, THEREFORE BE IT FINALLY ORDAINED, Council shall cause this ordinance and its impact on the community to be reviewed and shall consider revisions, if any, by July 31, 2025.

[Signature Block Next Page]

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of ___ in favor and ___ in opposition.

Duly adopted on first reading this ____ day of _____, 2024, by a vote of ___ in favor and ___ in opposition.

Duly adopted on final reading this ____ day of _____, 2024, by a vote of ___ in favor and ___ in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

Charles Chapman
(President)

Dwight Brautigam

P J Felton

Dave Funk

Todd Johnson

Paul Pike

Andrew Rensberger

Voting in Opposition:

Attest:

Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this ____ day of _____, 2024.

Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this ____ day of _____, 2024.

Richard Strick, Mayor