

**ORDINANCE 2019-
OF THE TOWN OF ZIONSVILLE**

AN ORDINANCE REGULATING GOLF CARTS

WHEREAS, the State of Indiana through Ind. Code §9-21-1-3.3 has provided guidance to municipalities for the local regulation of golf carts; and

WHEREAS, the Town Council of the Town of Zionsville, Indiana (“Town”) has heard from constituents about the desire and interest to travel via golf carts on public streets in the Town; and

WHEREAS, the Town has determined that a need exists for the regulation of golf carts on the streets and alleys and highways under the jurisdiction of the Town for the convenience of the citizens and visitors to the community as well to address traffic hazards and safety issues.

NOW, THEREFORE, BE IT ORDAINED BY, by the Town Council of the Town of Zionsville, Boone County:

Section One. Definitions. For the purpose of this Ordinance, the following definitions shall apply unless the content clearly indicates or requires a different meaning:

- (a) “Driver’s License” – A valid current license to operate a motor vehicle issued by the State of Indiana or any other state.
- (b) “Financial Responsibility” – A policy of liability insurance coverage on a golf cart in an amount not less than required by Indiana law for a motor vehicles operated on public highways in the State of Indiana.
- (c) “Golf Carts” – shall have the definition provided in Ind. Code §9-13-2-69.7. As it now exists, that term 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.
- (d) “Street” – shall have the definition provided by Ind. Code §9-13-2-73. This term may also be referred to as “Streets.”

Section Two. Operation of Golf Cart.

- (a) The operation of a golf cart within the Town is strictly prohibited unless the golf cart is operated and equipped in full compliance with this Chapter.
- (b) Golf carts may not operate on any Prohibited Streets as that term is defined in this Ordinance.

- (c) This Chapter shall not apply to public or private golf courses, construction sites, retail golf cart outlets or operation upon private property.

Section Three. Operator.

- (a) An Operator of a golf cart must meet the same requirements for operating a motor vehicle found in Ind. Code §9-24-1-1, including but not limited to, having a valid Driver's License and having proof of Financial Responsibility which shall be in the golf cart during all times of operation on Town Streets.
- (b) An Operator of a golf cart on Town Streets shall obey all driver's licensing requirements, Indiana traffic laws, and other related laws and Ordinances and yield the right of way to all pedestrians and bicycles. An Operator shall comply with all rules listed on golf cart permit application as well as the permit itself.
- (c) An Operator of a golf cart shall stay in the far right of the traveled portion of the road, and yield the right-of-way to an overtaking vehicle as soon as possible to do so safely.
- (d) An Operator shall be required to place a valid Registration Permit in compliance with Section Six of this Chapter in the upper left-hand corner of the golf cart's front frame.
- (e) As required in Ind. Code §9-21-1-3.3(c)(2), an Operator shall have no more than the amount of passengers for which the golf cart was originally designed to accommodate or no more than five (5) passengers in the golf cart (whichever is less). The maximum amount of individuals, including the Operator and passengers, in any one golf cart shall be six (6).
- (f) An Operator shall not allow any open alcoholic containers or other illegal substances to be in the Golf Cart at any time during Operation on Town Streets.

Section Four. Minimum Safety Equipment.

- (a) All golf carts operated on Town Streets shall have the following minimum safety equipment:
 - (1) Head lights and brake lights; and
 - (2) A rearview mirror; and
 - (3) A slow-moving vehicle sign that conforms to the provisions of Ind. Code §9-21-9-2, affixed to the rear of the golf cart.
 - (4) A horn.

- (b) All of the minimum safety equipment described in subdivision (a) shall be functional, and in use all of the times while the golf cart is in operation on Town streets.
- (c) An Operator or any person who owns, operates, or rides upon a golf cart on a Town Street does so at his or her own risk and peril, and assumes all liability resulting from such activity. The Town does not assume any responsibility under this Chapter by issuing a Registration Permit to an Operator.
- (d) Upon request by a law enforcement officer, an Operator shall provide proof of financial responsibility or a certificate of compliance for the operation of the golf cart on Town Streets.

Section Five. Approved Town Streets.

- (a) All golf carts in compliance with the requirements of this Ordinance and possessing a valid Operators permit which shall be issued annually by the Zionsville Police Department may be operated upon Town Street.
- (b) Notwithstanding Section 5(a), the following shall be considered Prohibited Streets:
 - (1) 106th Street
 - (2) 116th Street
 - (3) 300 South
 - (4) 96th Street
 - (5) 975 East
 - (6) Ash Street only from the portion of Mulberry Street to Maple Street
 - (7) Elm Street only from the portion of Willow Street to Willow Road
 - (8) First Street
 - (9) Ford Road
 - (10) Maple Street only from the portion of Ash Street to Willow Street
 - (11) Mulberry Street
 - (12) Oak Street only from the portion of First Street to the corporate town limit
 - (13) Sycamore Street only from the portion of First Street to Michigan Road
 - (14) Whitestown Road
 - (15) Willow Road
 - (16) Willow Street
 - (17) Zionsville Road
 - (18) Main Street from 106th Street to Sycamore Street
- (c) For purposes of this Ordinance, the term Street only includes such streets in the urban district of Zionsville.
- (d) An Operator may cross a Prohibited Street, at right angles, in order to travel from one (1) Town Street to another Town Street when the operation can be done safely.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Kevin Spees, Member		
Thomas Schuler, Member		
Jason Plunkett, Member		
Elizabeth Hopper Member		
Susana Suarez, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Timothy R. Haak on the _____ day of _____ 2019, at _____ m.

ATTEST: _____
Amelia Anne Lacy, Director,
Department of Finance and Records

MAYOR'S APPROVAL

Timothy R. Haak, Mayor

Date

MAYOR'S VETO

Timothy R. Haak, Mayor

Date