

**ORDINANCE NO. 2023- 04
OF THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND TITLE VII: TRAFFIC CODE,
CHAPTER 76: GOLF CARTS OF THE ZIONSVILLE, IN CODE OF ORDINANCES**

WHEREAS, the Town Council of the Town of Zionsville (“Town Council”) passed Ordinance No. 2019-19 to regulate the operation of a golf cart in the Town of Zionsville (“Town”); and

WHEREAS, the Town Council now wishes to amend Chapter 76: Golf Carts of the Zionsville, IN Code of Ordinances to remove certain regulatory restrictions in the Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana as follows:

Section 1. Approved Town Streets. The Zionsville Code of Ordinances, Title VII: Traffic Code, Chapter 76: Golf Carts shall be amended as follows:

- a. Section 76.05 Approved Town Streets shall be repealed in its entirety and replaced with the following:

§ 76.05 Approved Areas of Operation.

- (A) Operators of golf carts within the corporate limits of the Town who possess a valid and current registration permit issued by the Police Department, possesses a valid and current driver’s license and whose golf cart is in compliance with the requirements of this Chapter are permitted to operate in Approved Areas of Operation which shall include all Town streets with the exceptions of Oak Street, Sycamore Street (from First Street to Michigan), 116th Street, 106th Street, 96th Street.
- (B) Except as otherwise provided in this Chapter, no person may operate or otherwise use a golf cart as a means of transportation on any trail, sidewalk, or other walking path owned, operated, and/or maintained by the Town, including but not limited to, those trails, sidewalks, or other walking paths owned, operated, and/or maintained by the Town of Zionsville Parks and Recreation Department. This subsection (B) does not apply to any Town employee or official operating a golf cart in connection with official Town business.
- (C) An operator of a golf cart may cross Oak Street in order to travel from one Town street to another Town street if:

- (1) The operation can be done safely; and
- (2) The crossing is made in compliance with traffic requirements at an appropriate intersection.

Section 2. Amendment to Section 76.06: Registration, Subsection (B). Section 76.06(B) is hereby amended to replace “an annual registration fee of \$100 for each golf cart” and replaced with “a two-year registration fee of fifty dollars (\$50) for each golf cart.”

Section 3. Remaining Provisions. The remaining provisions of the Zionsville Code of Ordinances, Title VII: Traffic Code, Chapter 76: Golf Carts, as amended, shall remain in full force and effect and are not affected by this Ordinance.

Section 4. Repeal of Prior Ordinances. All prior Town ordinances or parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed as of the effective date of this Ordinance.

Section 5. Effect of Reorganization. If any such provision of this Ordinance is found in conflict with the Town’s Reorganizations as passed by Resolution No. 2008-12, Resolution No. 2014-3 and Resolution No. 2014-11 of the Town Council and specifically the controlling provision(s) of the latest applicable Reorganization Resolution, the provisions of the last applicable Reorganization Resolution shall prevail.

Section 6. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit, or extend the scope or intent of the clause to which they appertain.

Section 7. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of the Ordinance.

Section 8. Duration and Effective Date. The provisions of this Ordinance shall take effect following the date of its passage and action by the Mayor and/or the Town Council in the manner prescribed by Reorganization section ZR2A18 and shall remain in full force and effect until amended or repealed by ordinance of the Town Council.

Introduced and filed on the ____ day of _____, 2023. A motion to consider on First Reading was properly made and seconded and approved by a vote of ____ in favor and ____ opposed, pursuant to Indiana Code § 36-5-2-9.4 and § 36-5-2-9.6.

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A motion to consider on Second reading was properly made and seconded and approved by a vote of _____ in favor and _____ opposed, pursuant to Indiana Code § 36-5-2-9.4, § 36-5-2-9.6 or § 36-5-2-9.8 (*as applicable*).

DULY PASSED AND ADOPTED this ____ day of _____, 2023, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

**YEA
Signature**

**NAY
Signature**

Jason Plunkett President		
Brad Burk, Vice-President		
Alex Choi, Member		
Joe Culp, Member		
Josh Garrett, Member		
Craig Melton, Member		
Bryan Traylor, Member		

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I hereby certify that the foregoing Ordinance was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2023 at _____ a.m. /p.m.

ATTEST: _____
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR’S APPROVAL

Emily Styron, Mayor **DATE**

MAYOR’S VETO

Emily Styron, Mayor **DATE**

This Ordinance was prepared by Heather D. Harris, Partner, Barnes & Thornburg LLP serving as Legal Counsel to the Town Council, Town of Zionsville, Boone County, Indiana on January 29, 2023 at 10:15 p.m. EST. No subsequent revision to this Ordinance has been reviewed by Ms. Harris for legal sufficiency or otherwise.