

ORDINANCE NO. 5 - 2018

ORDINANCE GOVERNING THE USE AND OPERATION
OF GOLF CARTS/UTVs IN THE TOWN OF ROANN

WHEREAS, the Town of Roann, Indiana, by and through the Town Council, has the authority and responsibility to regulate and govern the use and operation of golf carts and UTVs within the limits of the Town of Roann:

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Roann, Indiana as follows:

SECTION I: DEFINITIONS:

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRIVER'S LICENSE: A valid license to operate a motor vehicle issued by Indiana or any other state.

PROOF OF FINANCIAL RESPONSIBILITY: 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/UTV 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

GOLF CART: A four (4) wheeled motor vehicle that is gas or electrically powered originally and specifically designed and intended to transport one (1) or more individuals for the purpose of playing the game of golf on a golf course.

UTV or UTILITY TASK VEHICLE: 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.

SECTION II: OPERATION OF GOLF CART:

The operation of a golf cart/UTV within the town is strictly prohibited unless the golf cart/UTV is operated, insured and equipped in full compliance with this ordinance.

A. OPERATOR:

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

B. FINANCIAL RESPONSIBILITY:

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

C. TIME OF OPERATION:

Golf carts/UTVs shall not be operated on any town streets between one-half hour after legal sunset and one-half hour before legal sunrise, unless the golf cart/UTV is equipped with two operating headlights (one on each side of the front of the golf cart/UTV), and two operating taillights with brake lights and turn signals (one on each side of the rear of the golf cart/UTV), which are visible from a distance of 500 feet.

D. PLACE OF OPERATION:

Golf carts/UTVs may be operated on town streets, alleys and parking lots. Golf carts/UTVs may not be operated on sidewalks.

E. OCCUPANTS:

The number of occupants in a golf cart/UTV shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart/UTV. The operator and all occupants shall be seated in the golf cart/UTV and no parts of the bodies of the operator or any occupant shall extend outside the perimeter of the golf cart/UTV while the golf cart/UTV is being operated.

F. TRAFFIC RULES:

The operator of the golf cart/UTV shall comply with all traffic laws, rules and regulations adopted by the State of Indiana and the Town of Roann which govern the operation of the motor vehicles, including child restraint laws. No golf carts/UTVs shall be permitted on State Road 16 except for purposes of crossing same. Such crossings are to be made at a 90-degree angle to the roadway after coming to a complete stop upon reaching State Road 16.

G. SLOW MOVING VEHICLES:

All golf carts/UTVs must display on the back of the golf cart/UTV a DOT approved "slow moving vehicle" sign of the same type required under Indiana law. In addition, each golf cart or UTV must have a rear view mirror.

SECTION II: REGISTRATION:

All golf carts/UTVs to be operated on the town streets, alleys and parking lots shall be registered with the town and the owner thereof shall pay an annual registration fee of \$25. All registrations expire one year from the date of purchase. The registration forms are available in the Office of the Clerk-Treasurer. An appointment shall be scheduled with the Town Marshal for completing the registration process/inspection of the golf cart/UTV. A registration sticker shall be issued for each registered golf cart/UTV and shall be affixed to the rear bumper area of the golf cart/UTV. The registration fee shall be collected by the Clerk-Treasurer for deposit. The fee so generated shall be deposited into the Town's park fund. At the time of registration, the owner shall present proof of insurance insuring property damage and personal liability coverage for injury or damage to property of others and of personal injury to other persons.

SECTION III: TEMPORARY NON-RESIDENT REGISTRATION:

Non-residents of the Town of Roann may be permitted to operate golf carts/UTVs pursuant to the terms and restrictions set forth in this Ordinance upon obtaining a temporary registration. Temporary registrations shall be issued for special events and functions as determined by the Town of Roann. Temporary registrations shall be valid for five (5) days and the Town Marshall shall indicate said dates on the registration sticker. Registration forms must be obtained from the Office of the Clerk-Treasurer and an inspection must be conducted by the Town Marshall. The fee for a temporary registration shall be \$10.00, which fee shall be collected by the Clerk-Treasurer for deposit into the Town's park fund.

SECTION IV: PENALTIES:

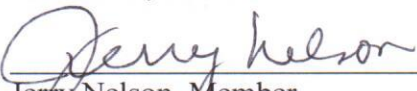
- A. Any person violating the provisions of this Ordinance shall be subject legal process and penalties as set forth in I.C. 34-28-5-1 et.seq. A violation of this Ordinance shall be classified as a Class C Infraction.
- B. This Ordinance shall be enforced by the Roann Town Marshall and/or any law enforcement officer authorized to enforce ordinances enacted by the Town of Roann.

SECTION V. This ordinance shall be in full force and effect from and after its adoption and approval by the Town Board of Roann, Wabash County, Indiana.

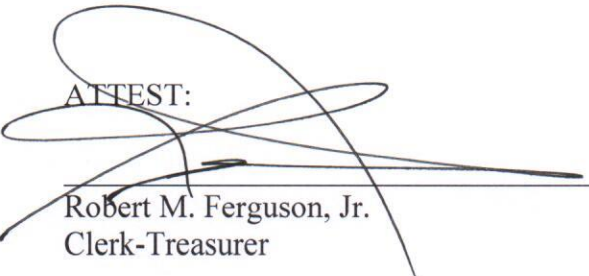
ADOPTED AND APPROVED this 12th day of FEBRUARY, 2019.


Richard Morris, President

James Pell, Member


Jerry Nelson, Member

ATTEST:


Robert M. Ferguson, Jr.
Clerk-Treasurer