

ORDINANCE NO. 2009-1985**AN ORDINANCE AUTHORIZING THE USE OF GOLF CARTS ON THE STREETS AND ALLEYS OF THE CITY OF PLYMOUTH, AND IMPOSING THE REQUIREMENTS OF A SLOW MOVING VEHICLE SIGN, A DRIVER'S LICENSE, AND LIABILITY INSURANCE COVERAGE, AND ESTABLISHING THE PENALTY FOR VIOLATION THEREOF****Statement of Intent and Purpose**

The Indiana legislature adopted HB 1483 which, among other things, clarified the status of golf carts being used on public streets and highways. The bill itself made amendments to several statutes that focus on the general subject of motor vehicles. In essence, effective July 1, 2009, an individual is prohibited from operating a golf cart on a highway, except when a city has adopted an ordinance authorizing the use on city streets. If this Council approves by ordinance the use of golf carts, then it may require the use of a slow moving vehicle sign, and shall require a valid driver's license and a minimum amount of financial responsibility.

The intent and purpose of this ordinance is to authorize golf cart use on Plymouth streets; require the operator to be licensed; require slow moving signage; and require financial responsibility in the same minimum amount as required by state law for automobiles.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Plymouth, Indiana, as follows:

Section 1. The use of a golf cart upon the streets and alleys of the City of Plymouth is permitted.

Section 2. Golf cart 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.

Section 3. A golf cart operated on the streets and alleys of the City of Plymouth shall at all times display either a slow moving vehicle emblem in accordance with IC 9-21-9-3 or a red or amber flashing lamp in accordance with IC 9-21-9-4.

Section 4. A golf cart operated on the streets and alleys of the City of Plymouth shall at all times be operated by an individual who possesses a valid state issued driver's license.

Section 5. A person shall not operate a golf cart on the streets or alleys of the City of Plymouth if financial responsibility is not in effect with respect to the golf cart. Proof of financial responsibility shall be in accordance with IC 9-25-4-4. A person who operates a golf cart on the streets and alleys of the City of Plymouth shall at all times maintain the state required minimum amount of financial responsibility for the operation of said golf cart in the following amounts:

(a) Subject to the limit set forth in subdivision (b), twenty-five thousand dollars (\$25,000) for bodily injury to or the death of one (1) individual.

(b) Fifty thousand dollars (\$50,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident.

(c) Ten thousand dollars (\$10,000) for damage to or the destruction of property in one (1) accident.

Section 6. A person who violates this ordinance shall on the first offense be fined One hundred dollars (\$100). A person who violates this ordinance a second time within a calendar year of the first offense shall be fined the sum Two hundred fifty dollars (\$250). A person who violates this ordinance a third time, or more, shall be fined a sum not to exceed Two thousand five hundred dollars (\$2500). Each day of violating this ordinance shall be construed as a separate violation.

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Section 7. All fines collected pursuant to Section 6 shall be deposited in the general fund of the City of Plymouth.

PASSED AND ADOPTED this 8th day of June, 2009.



Mark Senter, Presiding Officer

ATTEST:

Toni L. Hutchings, IAMC/CMC/CPFA
Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on this 8th day of June, 2009, at 7:24 o'clock p.m.

Toni L. Hutchings, IAMC/CMC/CPFA
Clerk-Treasurer

Approved and signed by me this 8th day of June, 2009.



Mark Senter, Mayor