

*Approved 2nd Reading  
Dec. 11<sup>th</sup> 2012*

**ORDINANCE NUMBER 2012-17  
AN ORDINANCE TO REGULATE THE USE OF GOLF  
CARTS WITHIN THE CORPORATE LIMITS  
OF THE TOWN OF MICHIANA SHORES**

WHEREAS, there has been an increase in use of golf carts on public streets and roads within the Town of Michiana Shores, Indiana; and

WHEREAS, the Town Council recognizes the population's desire and need to maintain their mobility and save energy costs by utilizing golf carts in place of automobiles for short commutes within the Town's limit, and

WHEREAS, the Town Council believes that in order to help preserve the health and safety of its citizens that it is necessary to allow, but to regulate the use of golf carts operated on streets and roads within the Town limits.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MICHIANA SHORES, INDIANA, AS FOLLOWS:

Section 1. For purposes of this Ordinance, a golf cart shall be included in the definition of a slow moving vehicle as the same is defined in IC. 9-21-9-1 as a "vehicle that is self-propelled; that is not under ordinary circumstances moved, operated, or driven at a speed greater than 25 miles per hour."

Section 2. In order to operate a golf cart for any purposes on any street, alley or road within the limits of the Town of Michiana Shores, a driver of such a golf cart must be a licensed driver under Indiana law and have such license on his or her person at all times during the operation of said golf cart.

Section 3. All golf carts must have bodily injury and property damage insurance on said golf cart and have proof of such insurance in the golf cart at all times during the operation of said golf cart in the Town of Michiana Shores. The minimum level shall be \$100,000.00.

Section 4. All golf carts must display an amber flashing light at times when headlamps are necessary for other motor vehicles, which light must be visible from a distance of no less than 500 feet from the rear of the golf cart. In addition, if said golf cart is operated at times when headlamps are necessary, said golf cart must be equipped with both headlights and taillights that are in working order. In addition, all golf carts must be equipped with a rear view mirror.

Section 5. All operators of golf carts within the Town of Michiana Shores must abide by all applicable State of Indiana traffic laws during said operation, including provisions of the Slow Moving Vehicle Statute {IC 9.21.9}.

Section 6. Any person who wishes to operate a golf cart in the Town of Michiana Shores must annually register the particular cart to be operated with the Clerk Treasurer's office and pay the registration fee of Fifty Dollars (\$50.00), subject to review by the Town Council, and display receipt of registration fee payment at all times while operating said golf cart. This fee is not transferable or refundable. This fee is to assist in absorbing the additional costs of registration, additional signage, maintenance, and additional law enforcement.

Section 7. While in operation, no golf cart shall carry more passengers than such golf carts are equipped to carry and all passengers must be seated at all times.

Section 8. Any violation of the provisions of this Ordinance shall be subject to a Fifty Dollar (\$50.00) fine for the first violation and any subsequent violations. If any operator is cited for violating this Ordinance Three (3) or more occurrences, the registration shall be revoked and said golf cart shall no longer be allowed to operate within the Town of Michiana Shores until proof of compliance is received from the Clerk Treasurers office.

**REPEAL PROVISION:** All prior ordinances or resolutions or parts thereof inconsistent with any of the provisions of this ordinance are hereby repealed.

**SEVERABILITY CLAUSE:** Should any section, clause, provision or portion of this ordinance be deemed to be invalid or unconstitutional by a Court of competent jurisdiction, such provision shall not affect any other section, clause, provision or portion of this ordinance.

**EMERGENCY ENACTMENT AND EFFECTIVE CLAUSE:** The Council hereby declares an emergency and this ordinance shall be in full force and effect from, and after its passage and adoption by the Town Council of the Town of Michiana Shores, County of La Porte, Indiana, or as thereafter as provided by law.

**PASSED and ADOPTED** this 13<sup>TH</sup> day of NOVEMBER, 2012, by: