

**Ordinance No. 2009 - 6**

**Ordinance Governing the Operation of Golf Carts.**

Be it ordained by the Town of Carlisle, County of Sullivan, State of Indiana, as follows, to wit:

**Section 1: Short Title:** This Ordinance shall be known as the Golf Cart Ordinance.

**Section 2: Definitions:** As used in this Ordinance the term:

- A. "Operator" means any person operating a golf cart, as described in the following section B.
- B. "Vehicle" means a golf cart. This term does not apply to a typical motor vehicle, i.e. a car, truck, or motorcycle for the purposes of this Ordinance.
- C. "Street, alley or right-of-way" means the entire width between the boundary lines of every way maintained by and within the jurisdiction of Carlisle, Indiana when any part thereof is open to the use of the public for purpose of vehicular travel.
- D. "Operate" means to ride in or on and to be in actual physical control of the operation of a vehicle.
- E. "Town" means the Town of Carlisle, Indiana.

**Section 3: Purpose:** The purpose of this Ordinance is:

- A. To clarify who may lawfully operate a "vehicle" as defined in this Ordinance in and on the streets, alleys and right-of-ways of the Town of Carlisle, In.
- B. To promote the safety of persons and property of the citizens of the Town of Carlisle, In.

**Section 4: Persons authorized to operate a vehicle as defined in this Ordinance:**

- A. Persons authorized to operate a vehicle as defined in this Ordinance, i.e., a golf cart, must be of the age of at least 16 years and have a valid driver's license and proof of insurance.

**Section 5: Restriction of Operation:** A person shall not operate a vehicle:

- A. At a rate of speed greater than is reasonable under the existing conditions and at no time at a speed greater than the posted speed limit.
- B. While under the influence of alcohol or drugs.
- C. During the hours from 30 minutes after sunset and 30 minutes before sunrise without displaying a lighted headlight and a lighted taillight.

**Section 6: Other Provisions:**

- A. The vehicle must display a slow moving sign or strobe light.
- B. Parents with children riding in the vehicle must follow state child safety restraint laws. IC code 9-19-11.

**Section 7: Enforcement:** All the law enforcement officers having jurisdiction in the Town of Carlisle may enforce this Ordinance.

**Section 8: Penalties for Violations:**

- A. A person who violates any provision of this Ordinance shall be fined a sum of \$100.00
- B. A person who is found to have violated any provision of this Ordinance a second time within 1 year of the previous violation shall be fined the sum of \$200.00
- C. A person found to have violated this Ordinance 3 or more times within 1 year of the 2 previous violations shall be fined not less than \$500.00 and not more than \$1000.00. The sum is left to the discretion of the Carlisle Town Board's majority vote based upon the specific nature of the violation.
- D. If a fine is assessed and remains unpaid for a period greater than 45 days, the Town of Carlisle has the right to impound the vehicle that the individual was operating when found to be in violation to this Ordinance. If this occurs, and the fine is not paid in full within 30 days, the Town of Carlisle shall have the right to sell said vehicle in a commercially reasonable manner and apply the proceeds as follows;
  - 1. Payment of the fine.
  - 2. Attorney fees.
  - 3. Storage fees of \$10 per day.
  - 4. Any and all reasonable costs incurred by the Town of Carlisle.
  - 5. Any remaining sum shall be remanded to the owner of the vehicle.

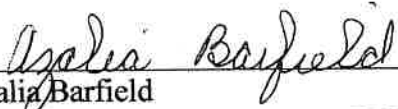
**Section 9: Severability/Modification:** If any section, subsection, sentence, clause, and/or phrase of this Ordinance is declared to be invalid or unconstitutional, it does not necessarily have the same or similar effect on the other sections, subsections, sentences, clauses or phrases. The Town Board of Carlisle may modify this Ordinance as is deemed necessary.

This Ordinance shall become in full force and effect from and after its adoption by the Town Board of Carlisle, In and its publication in accordance with IC. 5-3-1.

Adopted this 6 day of Oct., 2009 by the Town Board of Carlisle, In.



Bill Orr



Azalia Barfield



Rick Whiteshake

Attest:



Suzan Ridgway, clerk/treasurer