

ORDINANCE NO. 2021-26

**AN ORDINANCE AMENDING CHAPTER 74 OF
THE TOWN OF GRIFFITH CODE ADDING
ARTICLE IX AND AUTHORIZING THE USE OF
GOLF CARTS AND RECREATIONAL OFF ROAD VEHICLES
ON THE STREETS AND ALLEYS OF
THE TOWN OF GRIFFITH, INDIANA UNDER
SPECIFIED CONDITIONS**

WHEREAS, pursuant to provisions of IC 9-21-1-3(a)(14), the Town of Griffith, with respect to private roads and highways under the Town's jurisdiction, and in accordance with IC 9-21-1-2 and within the reasonable exercise of police power, may regulate golf carts and recreational off road vehicles; and

WHEREAS, pursuant to the provisions of IC 9-21-1-3.3(a) the Town of Griffith may adopt an ordinance with additional traffic regulations concerning the use of golf carts and recreational off road vehicles on streets and alleys under the jurisdiction of the Town as long as the ordinance does not conflict with or duplicate state law; and,

WHEREAS, pursuant to the provisions of IC 9-21-1-3.3(b) and (c), all fines assessed for a violation of the golf cart and recreational off road vehicle ordinance shall be deposited into the general fund of the Town and violations of the ordinance are punishable by law; and,

WHEREAS, the Town Council of the Town of Griffith has determined that a need exists for the regulation of golf carts and recreational off road vehicles on the streets and alleys and highways under the jurisdiction of the Town and that an ordinance should be adopted as authorized under Indiana law.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRIFFITH, INDIANA, that Chapter 74 of the Griffith Town Code entitled Traffic and Vehicles shall be and hereby is amended to add Article IX set forth as follows:

Sec. 74-326. DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) "Golf Cart" -A vehicle with four wheels originally designed for operation on a golf course and powered by a battery or internal combustion motor.
- (b) "Driver's License"- A valid license to operate a motor vehicle issued by Indiana or any other state.
- (c) "Financial Responsibility"- Liability insurance coverage in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

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(d) "Recreational Off-Road Vehicle"- A motorized off-highway vehicle that:

1. Is designed for travel on at least four non-highway or off-highway tires;
2. Is designed for recreational use by one or more individuals;
3. Has a non-straddle seat or saddle;
4. Has a steering wheel for steering control;
5. Is not a lawn mower.

Sec. 74-327. OPERATION OF GOLF CART AND RECREATIONAL OFF-ROAD VEHICLE

1. The operation of recreational off-road vehicles is strictly prohibited and not permitted anywhere on public property within the Town of Griffith jurisdiction.
2. The operation of a golf cart within the Town of Griffith is strictly prohibited unless the golf cart is operated and equipped in full compliance with this chapter.

Sec. 74-328. OPERATOR

Only valid licensed drivers, sixteen (16) years of age or older, and issued a driver's license from a State Bureau of Motor Vehicles may operate a golf cart in the Town of Griffith.

Sec. 74-329. FINANCIAL RESPONSIBILITY

The operator of a golf cart must show financial responsibility when operating a golf cart. Written proof financial responsibility must be available on the golf cart.

Sec. 74-330. PLACE OF OPERATION AND PARKING/STORAGE

1. Golf carts may be operated on Town streets which have a posted speed limit of thirty (30) miles per hour or less. Golf carts shall not be operated on Town sidewalks, upon any state highway located within the Town of Griffith, and the following: Broad Street between Avenue A and Ridge Road, Main Street, North Cline Avenue from Main to River Road, 45th Avenue (Glen Park Avenue), Ridge Road and Colfax; however, golf carts may cross these streets in crosswalk areas.
2. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of the golf carts in areas where parking is not allowed or in any place that may impeded the flow of traffic, pedestrian walkways, or a passageway is prohibited.
3. Golf carts must be stored on private property in a garage/shed or behind the property house line outside of public view from the street or sidewalk.
4. Golf carts may not be operated on the paved sections of any publicly owned bike trails but may be operated in the grass along the bike trail.

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5. At all times, golf carts must yield to pedestrians and bicycles.
6. All rules of the road and signage must be followed as designated by Town Ordinances and laws of the State of Indiana.

Sec. 74-331. OCCUPANTS.

The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated. No one under the age of eight (8) years is allowed to ride on the back seat of the golf cart unless accompanied by an adult.

Sec. 74-332. TRAFFIC RULES

1. Golf carts shall obey all of the rules of the road and shall display a "slow moving vehicle" sign of the same type required under Indiana Law, as well as a registration sticker from the Town of Griffith.
2. Golf carts operated after dusk shall utilize headlights and taillights.
3. Golf cart operators shall stay in the far right of the travelled portion of the road and yield the right-of-way to overtaking vehicle as soon as possible to do so safely.
4. Golf carts shall not be operated on town streets during inclement weather or when visibility is significantly impaired by weather, smoke, fog or other conditions.

Sec. 74-333. REGISTRATION

1. Golf carts shall be registered with the Town of Griffith in order to operate it within Town limits. The Town incurs administrative costs in providing materials for the registration, for approved stickers to be placed upon the golf carts and for the initial inspection of the vehicle. Therefore, there is an initial Administration/Inspection fee of fifty dollars (\$50.00) and an annual renewal of thirty dollars (\$30.00). Initial registration tags will be issued by the Griffith Police Department after a satisfactory inspection of the golf cart has been completed. Annual renewal registrations will not include an additional inspection.
2. This inspection will only be done to determine if the golf cart complies with this ordinance. It is the responsibility of the owner to keep the golf cart in good working order and in compliance with this ordinance and state statute or be subject to all fines and penalties under the law. The inspection will not test any mechanical components of the golf cart, such as brakes. The Town is not equipped and is not testing for the general mechanical quality of the golf cart and accepts no liability for the maintenance or operation of a golf cart.

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3. Fees shall be made payable to the Griffith Police Department and shall be deposited in the Griffith Police Department General Fund.
4. Registration tags shall be clearly displayed on the rear driver's side of the golf cart.
5. Registered golf carts shall not be rented out for business or other venture.

Sec. 74-334. OTHER

The Town of Griffith Safety Committee may exempt from the provisions of this Ordinance the use of golf carts in favor of public safety personnel and/or the use of golf carts during special events or other occasions. All Town special event golf cart operators should be identified as such and each individual must provide proof of insurance and a valid driver's license before being allowed to operate a golf cart during any special event. Police, Fire and Town personnel may use golf carts and other utility vehicles for official business and Town events.

The use of a golf cart in connection with a parade, festival or other special event approved by the Town is permitted.

Sec. 74-335. PENALTY

A violation of the provisions of the Town Code pertaining to this traffic regulation occurring after the adoption of this Ordinance shall constitute a violation of this ordinance and upon a finding of such violation the violator may be fined Fifty Dollars (\$50.00) for the first violation and an amount consistent with law for subsequent violations, up to and including Two Thousand Five Hundred Dollars (\$2,500) plus court costs. Two (2) or more violations within a calendar year may result in the revocation of the golf cart permit by the Chief of Police or designee for a period of up to one (1) year.

Sec. 74-335. Disclaimer, Assumption of Risk

Any person who owns, operates, or rides upon a golf cart on a public street does so at his/her own risk and peril and assumes all liability resulting from such activity.

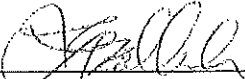
APPROVED AND ADOPTED by the Town Council of the Town of Griffith, Indiana, this 1 day of June, 2021.

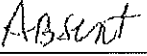
TOWN COUNCIL

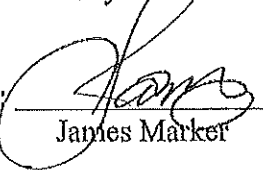
By: _____


Rick Ryfa – Council President

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By: 
Lawrence Ballah

By: 
Tony Hobson

By: 
James Markel

By: 
Melissa Robbins

ATTEST:


Gina Smith, Clerk-Treasurer