AN ORDINANCE AUTHORIZING THE USE OF GOLF CARTS AND RECREATIONAL OFF ROAD VEHICLES ON THE STREETS AND ALLEYS OF THE TOWN OF CORUNNA, INDIANA UNDER SPECIFIED CONDITIONS

WHEREAS, pursuant to provisions of IC9-21-1-3(a)(14), the Town of Corunna with respect to private roads and highways under the Town's jurisdiction, and in accordance with IC9-21-1-2 and within the reasonable exercise of police power, may regulate golf carts and recreational off road vehicles; and

WHEREAS, pursuant to the provisions of IC9-21-1-3.3(a) the Town of Corunna 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, the Town Council of the Town of Corunna 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 CORUNNA, INDIANA, as follows:

SECTION 1. DEFINITIONS.

For the purpose of this Ordinance 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 on a golf cart or recreational off road vehicle in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

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

1. Is 64" or less in width;
2. Is designed for travel on at least four non-highway or off-highway tires;
3. Is designed for recreational use by one or more individuals;
4. Has a non-straddle seat or saddle;
5. Has a steering wheel for steering control;
6. Is not a lawn mower;
7. Has a manufactured from the factory set of head lights, tail lights and brake lights.

SECTION 2. OPERATION OF GOLF CART AND RECREATIONAL OFF ROAD VEHICLE.

The operation of a golf cart or recreational off road vehicle within the Town of Corunna is strictly prohibited unless the golf cart or recreational off road vehicle is operated and equipped in full compliance with this chapter.

SECTION 3. OPERATOR.

Only valid license 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 or recreational off road vehicle in the Town of Corunna,

SECTION 4. FINANCIAL RESPONSIBILITY.

The operator of a golf cart or recreational off road vehicle must show financial responsibility when operating a golf cart or recreational off road vehicle. Written proof financial responsibility must be available either on the golf cart or recreational off road vehicle.

SECTION 5. TIME OF OPERATION.

Golf carts and recreational off road vehicles shall not be operated on Town streets during one-half (½) hour after sunset to one-half (½) hour before sunrise unless the golf cart or recreational off road vehicle is equipped with two (2) operating headlights (one on each side of the front of the golf cart or recreational off road vehicle) and two (2) operating fail light with brake lights (one on each side of the rear of the golf cart or recreational off road vehicle) which are visible from a distance of five hundred (500) feet.

SECTION 6. PLACE OF OPERATION.

Golf carts and recreational off road vehicles may be operated on Town streets which have a posted speed limit of thirty (30) miles per hour or less. Golf carts and recreational off road vehicles shall not be operated on Town sidewalks or upon any state highways located within the Town of Corunna, specifically State Road 327 and US Highway 6.

Section 7. Occupants.

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

SECTION 8. TRAFFIC RULES.

Golf carts and recreational off road vehicles 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 registered sticker from the Town of Corunna, valid for the current year.

SECTION 9. REGISTRATION.

Golf carts and recreational off road vehicles shall be registered with the Town of Corunna

on or before May 1st annually. The town incurs administrative costs in providing materials for the registration and for approved stickers to be placed upon the golf carts and recreational off road vehicles, and in inspecting the vehicles. Therefore, an Administration/Inspection fee of ~~fifty~~ ten dollars ($~~5~~10.00) to be paid through the office of the Clerk/Treasurer. Registration tags will be issued by the Town Council after a satisfactory inspection of the golf cart or recreational off road vehicle has been completed.

SECTION 10. OTHER.

The Town Council of the Town of Corunna may exempt from the provisions of this Ordinance the use of golf carts or recreational off road vehicles in favor of public safety personnel and/or the use of golf carts and recreational off road vehicles during special events. All special events participants 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 or recreational off road vehicle during any special event.

SECTION 11. PENALTY.

A violation of the provisions of this Ordinance pertaining to this traffic regulation occurring after the adoption of this Ordinance shall constitute a Class C Infraction and a violation of this Ordinance and upon a finding of such violation the violator shall be fined a sum not to exceed One Hundred Dollars ($100.00). Two (2) or more violations within a calendar year may result in the revocation of the golf cart or recreational off road vehicle permit by the Town Council for a period of up to six (6) months.

APPROVED AND ADOPTED by the Town Council of the Town of Corunna, Indiana this 4 day of June, 2019.

Steve Faulkner, President

Lori Hyde, Member

Lynn Bizwell, Member

ATTEST:

Casandra Lynch, Clerk-Treasurer