2011033669 ORDINANCE $19.00
07/13/2011 03:27:43P 4 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 11-16

AMENDMENT TO ORDINANCE 10-23 REGULATING THE OPERATION OF GOLF CARTS WITHIN THE CITY OF WESTFIELD, INDIANA

WHEREAS, the City of Westfield is governed by its duly elected City Council ("Council"); and,

WHEREAS, the Council has the responsibility and the duty to respond to requests from the citizens of the City who have requested the ability to operate golf carts within the City limits; and,

WHEREAS, as a means to address the possible public safety concerns and desires of the citizens the Council finds that this Ordinance is appropriate.

NOW, THEREFORE BE IT ORDAINED BY THE WESTFIELD COMMON COUNCIL THAT:

APPLICATION

Section 1. This Ordinance shall apply to the operation of golf carts on City roadways within the corporate limits of the City of Westfield. Only operation pursuant to the conditions contained herein and I.C. 9-21-1-3.3 shall be permitted.

DEFINITION AND SPECIFICATIONS

Section 2. "Golf Cart" shall be defined as an electric or gas vehicle that was originally designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding speeds of 45 mph and does not include ATVs or Utility vehicles , segways, scooters, modified golf carts or any other motorized vehicle.

Section 3. Golf carts shall be equipped with headlights, taillights and turn signals. Between sunset and sunrise golf carts must include one of the following: slow moving vehicle sign, a bicycle flag or rear flashing light.

COPY

Section 4. All golf carts to be operated on city roadways and trails must be inspected. by the Westfield Police Department for compliance with this Ordinance. The Westfield Chief of Police is authorized to develop, implement and enforce those policies, procedures and forms necessary to assure compliance with this Ordinance of golf carts and operators for use on City roadways. The Westfield Chief of Police is specifically authorized to develop those policies and procedures necessary to maximize the safety of persons and property. Inspections remain valid for two (2) years. Golf carts that pass inspection shall display a permit sticker on the right rear fender issued by the City of Westfield. The cost of inspection will be $25.00 dollars for a 2 year permit.

Section 5. Only golf carts described, equipped and insured as described herein, shall be allowed to operate within the Westfield City limits.

OPERATION

Section 6. Operators of golf carts within the corporate limits must be at least 16 years of age, possess a valid driver's license and be insured by liability insurance in an amount not less than the minimum the State of Indiana requires for automobiles.

Section 7. Operators of golf carts within the corporate limits shall obey all Indiana traffic laws, yield the right of way to all pedestrians and bicycles and only permitted to operate upon roadways with a speed limit of 25 MPH or less. Crossing of roadways with speed limits in excess of 25 MPH is permitted only where posted. The Department of Public Works is hereby authorized to place all necessary signage for regulation and access on or across City roadways. All necessary signage shall be placed upon the inventory as all other signage.

Section 8. Golf carts are not permitted on any City owned or operated sidewalk, trail, walking path or perimeter trail unless posted for golf cart use. Golf carts are not to be used in any Westfield City Park without prior written permission from the Westfield Parks Director.

Section 9. This Ordinance shall not apply to public or private golf courses, construction sites, retail golf cart outlets or operation upon private property.

Section 10. Golf carts may not be operated on public roadways during inclement weather such as rain, fog, or when there is an accumulation of ice or snow on the ground. A golf cart may only accommodate as many passengers as originally designed.

Section 11. Any violation of the conditions imposed by this Ordinance shall be punishable by a fine not to exceed that for a Class C Infraction as defined by Indiana Code, per day, per incident as well as any and all fees associated with the enforcement of this Ordinance.

Section 12. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of this Ordinance later deemed invalid or void shall not operate as to invalidate the remaining portions. All acts undertaken to create this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED THIS 11 DAY OF July 2011.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
John Dippel	John Dippel	John Dippel
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Kenneth Kingshill	Kenneth Kingshill	Kenneth Kingshill
Robert J. Smith	Robert J. Smith	Robert J. Smith
Thomas Smith	Thomas Smith	Thomas Smith
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 11-23 was delivered to the Mayor of Westfield on the 12 day of July, 2011, at 9:00 am.

Cindy Gossard

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 11-23 this 12 day of July, 2011.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 11-23 this _____ day of _____, 2011.

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard

Cindy Gossard, Clerk Treasurer

"I affirm, under the penalties [illegible] that I have taken reasonable care [illegible] each Social Security Number in this document, unless required by law"

C. Gossard

Signed

This document prepared by
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