ORDINANCE NO. 2024-2228R

AN ORDINANCE TO AMEND
THE CODE OF ORDINANCES OF THE CITY OF PLYMOUTH CONCERNING
USE OF GOLF CARTS ON STREETS AND ALLEYS

Statement of Purpose and Intent

The City of Plymouth has seen a significant increase in the use of golf carts on city streets and alleys in recent years. The purpose and intent of this ordinance is to allow for continued golf cart use, while ensuring the safety of the public by adding requirements for use and establishing a golf cart registration program.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Plymouth, Indiana as follows:

Section 1. Title VII, entitled TRAFFIC CODE, Chapter 70 entitled TRAFFIC RULES, in the Code of Ordinances of the City of Plymouth shall be amended by deleting Section 70.06 USE OF GOLF CARTS ON STREETS AND ALLEYS in its entirety and replacing it with a new Section 70.06 to read as follows:

(A) The use of golf carts upon the streets and alleys of the City of Plymouth is permitted subject to the requirements in this section.

(B) For purposes of this Ordinance a golf cart shall be defined according to IC § 9-13-2-69.7 as a four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

(C) To operate a golf cart on any street or alley within the corporate boundary of the City of Plymouth, a driver of such golf cart must have a valid driver's license as described in IC § 9-24-1-7. Operating a golf cart is the same as operating a motor vehicle. Operators of said golf carts should not operate their cart or vehicle under the influence of alcohol or drugs as you can be arrested for driving under the influence of alcohol or drugs on a golf cart. Open container laws regarding possession and consumption of alcoholic beverages in motor vehicles and in public places shall apply to operators and passengers of golf carts as described in IC § 9-30-15. Indiana Code restricting the use of a telecommunications devices while operating a moving motor vehicle shall apply to operation of a golf cart and be subject to the same restrictions as described in IC § 9-21-8-59.

(D) Any person operating a golf cart on the streets or alleys of the city shall have financial responsibility in effect with respect to the golf cart. Proof of financial responsibility shall be in accordance with IC § 9-25-4-4. A person who operates a golf cart on the streets and alleys of the city shall at all times maintain the state required minimum amount of financial responsibility for the operation of the golf cart and proof of financial responsibility shall be provided when registering the golf cart for operation within the city.

(E) All said golf carts must be equipped with both headlights and taillights that are in working order if operated at times when headlamps are necessary for other vehicles to be visible within 500 feet. In addition, all golf carts must be equipped with an operational rear-view mirror.

(F) Any person operating a golf cart in the City of Plymouth shall abide by all State and local traffic laws. Golf carts shall not be driven or parked on public sidewalks or trails, including greenway trails. Golf carts shall not be driven over curbs. Golf carts shall not be driven over private property without prior permission from the property owner. Golf carts shall be subject to all parking regulations under Plymouth City Code Chapter 71.

(G) Any person operating a golf cart within the City of Plymouth shall adhere

to all applicable provisions of the Slow-Moving Vehicle Statute of the State of Indiana found at IC § 9-21-9.

(H) Any person who wishes to operate a golf cart within the City of Plymouth must register the same with the Clerk-Treasurer's office and pay a registration fee of Thirty Dollars ($30.00) on or before the first day of March each year. The City shall provide a registration sticker to indicate that the golf cart has been property registered with the City of Plymouth. A copy of the registration form must be kept in the golf cart when operated on public streets or alleys. The required registration sticker, along with an approved traffic safety slow moving vehicle sign as described in IC § 9-21-9-2, must be visibly mounted to the rear of the vehicle, and the registration sticker must always remain visible during operation of the vehicle.

(I) While in operation, such golf carts must carry no more passengers than such golf carts are designed to carry, and all passengers must always be seated. Children under 36 inches in height are not permitted to be passengers on golf carts on public streets or alleys within the City of Plymouth. Under no circumstances should any unlicensed individual be allowed to operate a golf cart on streets or alleys within the City of Plymouth and adult passengers shall not hold passengers on their laps.

(J) Any person violating any of the provisions of this Ordinance shall be subject to a fine of $50.00 for the first offense, $75.00 for the second offense, and $100.00 for the third offense. If any subsequent offense occurs, the golf cart shall be impounded at the owner's expense.

(K) All fines collected pursuant to § 70.06 shall be deposited in the General Fund of the City of Plymouth.

Section 2. This Ordinance shall take full force and effect on January 1, 2025, due attestation and publication if required by law.

PASSED AND ADOPTED this 26th day of August, 2024.

/s/ Robert Listenberger
Presiding Officer

ATTEST:

/s/ Lynn M. Gorski
Clerk-Treasurer

Presented by me to the Mayor of the City of Plymouth, Indiana on the

26th day of August, 2024, at 8:40 p.m.

/s/ Lynn M. Gorski
Clerk-Treasurer

Approved and signed by me this 26th day of August, 2024.

/s/ Robert Listenberger
Mayor