



### **76.03 Minimum Safety Equipment**

- A. All golf carts operated on City streets shall have the following minimum safety equipment:
  - 1. Headlights, tail lights, and turn signals, and
  - 2. A rearview mirror, and
  - 3. A Slow-Moving Vehicle sign that conforms to the provisions of Indiana Code § 9-21-9-2, affixed to the rear of golf cart.
- B. All of the minimum safety equipment described in section 76.03(A) shall be functional, and in use at all times while the golf cart is in operation on City streets.

### **76.04 General Regulations**

- A. Speed Limits
  - 1. Golf carts shall not be operated on any City street having a posted speed limit in excess of 25 mph.
  - 2. Golf carts may, however, cross a street that has a posted speed limit in excess of 25 mph, but no greater than 45 mph, when crossed at intersections in a path perpendicular to the streets or highways.
- B. Golf carts shall not be operated on any sidewalk, pedestrian walkway, multi-use path, jogging path, greenway, or trail, except to cross at intersections in a path perpendicular to the path or walkway.
- C. The maximum occupancy of a golf cart travelling on City streets shall be one (1) person per bucket seat and three (3) persons per bench seat. All persons attached to, or riding on, a golf cart must be seated in one of the manufacturer designed seats, and may not be standing or riding on the back or in any place designed for cargo or sporting equipment.
- D. Only persons holding a valid operator's license may operate a golf cart on City streets.
- E. Golf carts must be operated in compliance with all applicable local and state traffic laws and the operator may be ticketed in the same manner as motor vehicle operators.

- F. 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.
- G. Golf cart rental for use on City streets is prohibited.
- H. 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 golf carts in areas where parking is not allowed or in any place that may impede the flow of traffic, pedestrian walkways, or a passageway is prohibited.
- I. Golf carts shall not be operated on City streets during inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions.
- J. Golf carts may only be operated, under the provisions of this Chapter, and within established subdivisions and neighborhoods that have complied with section 76.06, below, concerning the approval of golf carts for use in their neighborhood.
- K. Exemptions – Golf carts operated by the persons or entities described below, in the manner described below, or on the following property, are not subject to the provisions of this Chapter:
  - 1. The operation of golf carts at golf courses, private clubs, or on private property with the consent of the owner; or travelling to a golf course, private club, or private property.
  - 2. The operation of golf carts within gated, or limited access, communities, unless the streets of the community are dedicated for public use and maintained by the City.
  - 3. The use of a golf cart in connection with a parade, festival, or other special event approved by the City.
  - 4. The use of golf carts, and similar utility vehicles, by the Police or Fire Departments on official business, or the use of golf carts by City personnel for official business.
  - 5. The use of golf carts to cross the street at golf course crossings designated by signs duly erected by the City or the Indiana Department of Transportation for such crossing, and the cart is being used for golfing purposes.

**76.05 Disclaimer, Assumption of Risk and Insurance**

- A. 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.
- B. Insurance - Any operator, upon request by a law enforcement officer, shall provide proof of financial responsibility/”Certificate of Compliance” for the operation of the golf cart on City streets. This “proof of financial responsibility” shall mean, pursuant to Indiana Code § 9-25-2-3, proof of ability to respond in damages for liability that arises out of ownership, maintenance, or use of a golf cart in amounts equal to, or greater, than those specified in Indiana Code or by the Indiana State Department of Insurance for motor vehicle coverage.

**76.06 Subdivision/Neighborhood Approval**

- A. Golf carts may only be operated on City streets within established neighborhoods and subdivisions that authorize their use in accordance with this section.
- B. The subdivision or neighborhood must have a governing body, home-owners association, or decision making board authorized to speak on behalf of the welfare of the neighborhood, created by the covenants of the subdivision or other organization.
- C. Process
  - a. The governing board must submit written certification to the Noblesville Police Department stating the board approves of the use of golf carts by its residents, and within its community, and
  - b. Install signage at each entrance to the subdivision that complies with City ordinances concerning such signage, warning motor vehicle operators and pedestrians of the possibility of golf carts being operated on the streets therein.
- D. A governing board or home-owners association may, at its discretion, rescind such approval by submitting a letter declaring same to the Noblesville Police Department.

**76.07 Violations and Prosecution of Violation.** Any person receiving a notice of violation of this ordinance may appear at the Noblesville City Court and pay the fine indicated on the notice or deny the violation and contest the matter in Noblesville City Court (“City Court”), which shall be the proper venue for any such challenge.

If a person appears at the Noblesville City Court and denies the violation, the Noblesville City Court shall cause the matter to be docketed with the Clerk of the City Court. The case shall then proceed according to the rules and procedures of the City Court pertaining to ordinance violations and any penalties listed in Section 76.08 will have court costs attached.

**76.08 Penalty for Violation.** Any violation of the provisions of this ordinance or a failure to comply with any of its requirements shall subject the offender to a penalty as follows:

- A. In the amount of fifty dollars (\$50.00) for the first offense;
- B. In the amount of one hundred fifty dollars (\$150.00) for the second offense during a rolling twelve-month period of time, and
- C. In the amount of three hundred dollars (\$300) for the third and each subsequent offense within a rolling twelve-month period.

A second, or subsequent, offense occurring more than twelve-months since the last offense shall be considered a first offense. The penalties listed in this Section do not include court costs and fees that may be imposed by Noblesville City Court in addition to the penalty.

If a police officer employed by the Noblesville Police Department finds cause to issue a notice for a violation of this ordinance, the officer has discretion to issue the notice/citation to: The golf cart operator, or in instances where the operator is an unlicensed juvenile, to the parent(s) of said operator.

**76.09 Effective Date.** This ordinance shall be in full force and effect from and upon its adoption by the Noblesville Common Council in accordance with the law. All ordinances or parts thereof in conflict herewith are hereby repealed.

ALL OF WHICH IS SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**COMMON COUNCIL OF THE CITY OF NOBLESVILLE**

**AYE**

**NAY**

	Brian Ayer	
	Mark Boice	
	Wil Hampton	
	Christopher Jensen	
	Roy Johnson	
	Gregory P. O'Connor	
	Mary Sue Rowland	
	Rick L. Taylor	
	Megan G. Wiles	

APPROVED and SIGNED by the Mayor of the City of Noblesville, Hamilton County, Indiana  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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JOHN DITSLEAR, Mayor  
City of Noblesville, Indiana

ATTEST:

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EVELYN LEES, Clerk  
City of Noblesville, Indiana