



Obtaining a Permit to Operate a Golf Cart on Public Streets

Laws regarding the use of golf carts and ATVs

- The operator of a golf cart or ATV must be 18 and possess a valid motor vehicle driver's license.
- ATVs and golf carts cannot be operated on Indiana Highway 62 (Lincoln Avenue) except to cross at the intersection of State Street and Highway 62 (Lincoln Avenue).
- Golf carts shall have a slow moving vehicle placard clearly displayed on the rear of the vehicle.
- Must have brakes, brake lights, tail lights, head lights, and a functional rear view mirror.
- An off road vehicle operated on a town street must have an orange pennant or flag at least 12 inches but not more than 24 inches long. The pole that the pennant is attached to must measure between 4 and 10 feet when measured from the top of the seat.
- An operator of an ATV or golf cart must carry liability insurance that meets state minimum insurance requirements.
- An operator of an ATV or golf cart must have in their possession proof of insurance and the proper registration for the vehicle they are operating.
- An ATV or golf cart cannot be operated on Town Streets between the hours of 10 pm and 6 am.
- Golf carts may only be operated on streets within the Town of Chandler on which the speed limit is 30 miles per hour or less.
- Golf carts and ATV operators must follow the rules and regulations that pertain to the operations of all vehicles on public roadways in Indiana.
- Registration must be renewed yearly.

The process for obtaining a golf cart permit requires multiple steps:

- Read ordinance 2009-6. (Attached)
- Fill out the Golf Cart Application. (Attached)
- Call Chandler Police Department at 812-925-6898 to schedule an appointment for the golf cart inspection.
- If the golf cart passes the inspection, a \$25 registration fee must be paid at the time of registration.
- After you receive the certificate of registration, you will also receive 2 numerical tags that must be prominently displayed on the front and back of the golf cart

TOWN OF CHANDLER ORDINANCE NUMBER 2009-6

**AN ORDINANCE ADDING
SECTIONS TO THE CHANDLER CODE**

WHEREAS, the Town of Chandler has heretofore adopted and approved its "Code of Ordinances", hereinafter referred to as "Chandler Code" or "Code" pursuant to the provisions of Indiana Code 36-1-5-3; and

WHEREAS, as this Code has been enacted, various modifications, corrections, additions and changes need to be made to the adopted Code for substantive, clerical and amendatory purposes.

NOW, THEREFORE be it ordained by the Town Council of the Town of Chandler, Indiana, as follows:

SECTION 1.

THERE IS HEREBY ADDED A CHAPTER 72. AS FOLLOWS:

SECTION 72.01: Definition of "off road vehicle":

(a) "Off-road vehicle", for purposes of this Code and IC 14-16-1 means a motor driven vehicle of at least four wheels capable of cross-country travel:

(1) without benefit of a road; and

(2) on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

(b) The term "off-road vehicle" does not include a snowmobile, any other vehicle properly registered by the bureau of motor vehicles, any watercraft that is registered under Indiana statutes, or a golf cart vehicle.

SECTION 72.02: Definition of ATV Streets.

"ATV Streets" shall mean all town streets inside of the town limits, except Restricted Streets.

"Restricted Streets" shall mean:

A. Indiana State Highway No. 62 (Lincoln Avenue) except as provided in C. hereof.

- B. Any street or highway posted by order of the Town Council or its designee for non-use by off-road vehicles.

- C. Any of the following:
 - I. On sidewalks; or
 - ii. On State Highway 62 (Lincoln Avenue), except to cross the said State Highway 62 at intersections regulated by an automatic traffic signal (or as directed by a law enforcement officer) in a path 90° to the State Highway (Lincoln Avenue). Provided however, off-road vehicles may be operated on State Highway 62 (Lincoln Avenue) in connection with and during the course of such special events as may be from time to time determined and so designated by the Town of Chandler Town Council.
 - iii. On any unpaved surfaces of public property.
 - iv. On any private property without permission of the owner.

SECTION 72.03: Definition of Operator. An “Operator” of an off-road vehicle must be at least 18 years of age and possess a valid motor vehicle driver’s license as is also required by IC 14-16-1-20©.

SECTION 72.04: Use and operation of off-road vehicles on town streets and highways.

- A. “Operators” of “off-road vehicles” may use “ATV Streets”, as those terms are defined herein, subject to the terms and conditions of this Chapter.

- B. “Off road vehicles” may not be operated on “Restricted Roads.”

SECTION 72.05: Registration requirements. Off-road vehicles must be registered under I.C. 14-16-1-8, as amended.

SECTION 72.06: Headlights, Taillights, Brakes , Pennant and Rear View Mirror. The off-road vehicle must meet those standards of headlights, taillights, and brakes required under I.C. 14-16-1-21. In addition, the off-road vehicle operated on a town street pursuant to this Chapter must have an orange pennant or flag at least twelve (12) inches but not more than twenty-four (24) inches long, affixed to a staff or pole measuring at least four (4) feet but not more than ten (10) feet in height. The pole or staff height shall be measured from the top of the seat. The off-road vehicle shall be equipped with a functional rear view mirror at all times when the vehicle is being operated.

SECTION 72.07: Statutory restrictions on use. Nothing in this Chapter modifies, alters or changes the restrictions on operation established under I.C. 14-16-1-23.

SECTION 72.08: Number of Occupants. No off-road vehicle shall be occupied by more persons than for which the vehicle was designed. Each occupant shall have and use a separate seat.

No part of the body of the operator or an occupant shall extend outside the perimeter of the off-road vehicle while in operation.

SECTION 72.09: Duties in event of Accident. Nothing in this Chapter modifies, alters or changes the duties under I.C. 14-16-1-24 placed on the Operator of an off-road vehicle in the event of an accident.

SECTION 72.10: Liability insurance. An Operator operating an off-road vehicle on a town street shall have liability insurance specifically for such off-road vehicle in accordance with the minimum insurance required for the operation of other motor vehicles on public highways, in the minimum amount of \$25,000 per person/\$50,000 per accident.

SECTION 72.11: Possession of registration and certificate of insurance. Any operator of an off-road vehicle shall carry on his or her person any registration required under I.C. 14-16-1 and the certificate of insurance required under this Chapter for the off-road vehicle being operated.

SECTION 72.12: Restriction on operation between 10:00 p.m. and 6:00 a.m. In furtherance of the restriction established under I.C. 14-16-1-23(a)(7) prohibiting the operation of off-road vehicles within 100 feet of a dwelling between midnight and 6:00 a.m., an off-road vehicle may not be operated on any town street between 10:00 p.m. and 6:00 a.m.

SECTION 72.13: Other laws and regulations: Nothing in this Chapter modifies, alters or changes the requirements of the operation of vehicles on public roadways in Indiana, and all Operators of off-road vehicles must obey and follow all rules and regulations applicable to the operation of vehicles on roadways in Indiana.

SECTION 72.14: Disturbance of roadway. No person shall operate an off-road vehicle on Town of Chandler Streets in such a manner which causes damage to the street or disturbs the surface of the roadway. Any violator of this Section, in addition to such penalties set forth in Section 16 below, shall be responsible for all costs of repair of such damage or disturbance.

SECTION 72.15: Emergencies. Any town, county or state law enforcement officer may prohibit operation of an off-road vehicle on a town street or roadway during emergencies.

SECTION 72.16: Penalty.

- a. Any person who violates any provision of this Chapter shall be deemed guilty of a violation and, upon conviction, shall be fined pursuant to the following schedule:
 - i. First offense in a calendar year: \$50.
 - ii. Second offense in a calendar year: \$100.
 - iii. Third offense in a calendar year: \$150.

- b. Each day that a violation occurs constitutes a separate offense.

SECTION 72.17: Impoundment of off-road vehicle. Any off-road vehicle operated on the streets of the Town of Chandler by an unlicensed operator or without the equipment required by this Chapter of Indiana law shall be impounded by the enforcing officer. Said off-road vehicle shall be held until retrieved by the owner and a properly licensed operator. If the off-road vehicle is improperly equipped as required by this Chapter or Indiana Law for operation on the streets of the Town of Chandler, then it shall only be released to be hauled away upon a properly licensed vehicle capable of safely hauling the same. The off-road vehicle shall not be released from impoundment until:

- a. It is properly registered as by law required;
- b. The actual charge for the towing of the vehicle to the place of impoundment is paid; and
- c. Storage charges in the amount of \$5.00 per day, or part thereof, have been paid.

The Town of Chandler shall not be responsible for any loss or damage sustained by any off-road vehicle so impounded or stored hereunder. Off-road vehicles not reclaimed within thirty (30) days from the date of impoundment shall be deemed abandoned and shall be sold as surplus property.

SECTION 72.18: Enforcement. All law enforcement officers in the Town of Chandler shall have the power and it shall be their duty to enforce the provisions of this Chapter unless otherwise prevented by State statutes regarding the enforcement of State laws.

SECTION 72.19: Repeal of Inconsistent Ordinances. All ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 72.20: Severability. If any section, paragraph, sentence, clause or phrase in this Chapter is declared unconstitutional or invalid for any reason, the remainder of this Chapter shall not be affected by such declaration and shall remain in full force and effect.

SECTION 72.21: Effective date. This Chapter shall become effective upon passage by the Town Council of the Town of Chandler, attested by the Clerk/Treasurer, and published as required by Indiana Code §5-3-1-2.

SECTION 72.22: Expiration Date. Unless extended by formal action of the Chandler Town Council, this CHAPTER 72 shall expire and be of no further force and effect from and after July 1, 2010.

SECTION 2.

THERE IS HEREBY ADDED A CHAPTER 73. AS FOLLOWS:

SECTION 73.00: Prohibited Operation. Except as hereinafter otherwise provided, the operation of vehicles originally designed for operation on a golf course, whether powered by battery, fuel engine or otherwise, and commonly referred to as “golf carts”, on Town of Chandler Streets is and shall be prohibited, except insofar as such golf carts are registered, equipped and operated in full compliance with this Chapter.

SECTION 73.01: Registration. The owner or lessee of a golf cart desiring to operate it on the streets of the Town of Chandler, must register the golf cart annually with the Town of Chandler on or before May 1, and an annual registration fee of \$25.00 paid to the Clerk/Treasurer who, after inspection by the Chandler Police Department verifying the golf cart is insured and equipped as required by Section 73.03 and 73.04, respectively, of this Chapter, shall issue a Certificate of Registration (“permit”) and numerical tags which numerical tags shall be prominently attached to and displayed on the front and rear of the golf cart. The permit must be in the golf cart or in the possession of the person operating the golf cart at all times such golf cart is in operation on the streets of Chandler.

SECTION 73.02: Operators. Only persons over eighteen (18) years of age and holding a valid motor vehicle driver’s license may operate a golf cart within the Town of Chandler.

SECTION 73.03: Financial Responsibility of the Owner, Lessee and Operator. A golf cart operating on the streets of the Town of Chandler shall be insured by liability insurance coverage in an amount not less than that provided by Indiana statutes for motor vehicles operated on public thoroughfares in the State of Indiana. Proof of such liability coverage must be available on the golf cart or carried by the operator at all times the golf cart is operated on the streets of the Town of Chandler.

SECTION 73.04: Equipment. A golf cart operating on the streets of the Town of Chandler shall be equipped with two operating headlights (one on each side of the front of the golf cart), tail lights (one on each side of the rear of the golf cart) visible from a distance of 500 feet, brakes adequate to control the movement of and to stop and hold the golf cart; brake lights; a rear view mirror; and, slow moving vehicle placard shall be prominently displayed on the rear of the golf cart.

SECTION 73.05: Permissible Streets. Golf carts may be operated on streets within the Town of Chandler on which the speed limit is 30 miles per hour or less.

SECTION 73.06: Restricted Streets and Areas. Golf carts may not be operated:

- A. On sidewalks; or
- B. On State Highway 62 (Lincoln Avenue), except to cross the said State Highway 62 at intersections regulated by an automatic traffic signal (or as directed by a law enforcement officer) in a path 90° to the State Highway (Lincoln Avenue). Provided however, golf carts may be operated on State Highway 62 (Lincoln Avenue) in connection with and during the course of such special events as may be from time to time determined and so designated by the Town of Chandler Town Council.
- C. On streets on which the speed limit is more than 30 miles per hour.
- D. On any unpaved surfaces of public property.
- E. On any private property without permission of the owner.

SECTION 73.07: Number and Seating of Occupants. Occupants of a golf cart in operation on the Town streets or thoroughfares shall be limited to the number of persons for whom factory seating is installed on the cart. Occupants of the golf cart, including the operator, shall be seated in the cart and no part of the body of the operator or an occupant shall extend outside the perimeter of the cart while in operation.

SECTION 73.08: Traffic Rules. All golf carts and the operation thereof shall be subject to all traffic rules, in addition to the requirements set forth herein, as required by Indiana statutes governing the operation of motor vehicles.

SECTION 73.09: Responsibility of Owner or Lessee. The owner, or lessee, of a golf cart, who applies for a permit to operate the golf cart within the Town of Chandler as herein above provided in Section 1, shall agree to be responsible, jointly and severally, with any person who is permitted to operate the golf cart, for any injury or damages the operator causes by reason of the operation of the golf cart if such operator is liable for such damages.

SECTION 73.10: Penalty.

- A. Any person who violates this Chapter shall be subject to a penalty of Twenty-Five Dollars for the first violation in any twelve month period for each violation.
- B. Any person who violates this Chapter a second time in any twelve month period shall be subject to a penalty of One Hundred Dollars for each violation.
- C. In addition, the permit as herein above provided, may be subject to suspension or revocation. Provided, however, in the event that two or more offenses constituting violations of this Chapter occur within one year, the permit to operate the golf cart shall be revoked and may not be reissued for a period of one year.

- D. If the person found responsible for violation of this Chapter is a minor, the custodial parent or parents or the guardian of the minor shall be responsible for the actions of such minor and shall be liable for payment of the fine or fines imposed hereunder.
- E. Additionally, a court may order compliance with the provisions of this Chapter.
- F. All fines and penalties shall be payable to the Town of Chandler Clerk-Treasurer. The Town of Chandler Clerk-Treasurer is the Town of Chandler “violations clerk” and shall receive all payment of penalties under this Chapter for which the violator desires to waive trial and admit the violation. The Clerk/Treasurer of the Town of Chandler is hereby authorized to accept the payment of the monetary penalties into the general fund of the Town
- G. All cases wherein persons cited for a violation do not waive trial and admit the violation or default in appearance before the Town of Chandler Clerk-Treasurer shall be referred to the Town Attorney for filing with the appropriate court in Warrick County, Indiana

SECTION 73.11: Compliance. It shall be the responsibility of the owner or lessee of the golf cart to comply with the provisions of Sections 73.01, 73.02, 73.03, 73.04 and 73.09 of this Chapter. The failure to comply with those requirements of Section 73.01, 73.02, 73.03, 73.04 or 73.09 of this Chapter shall constitute a violation of this Chapter by the owner or lessee of the golf cart. It shall be the responsibility of the operator of the golf cart to comply with the provisions of Sections 73.04, 73.05, 73.06, 73.07 and 73.08 of this Chapter (including specifically responsibility for the actions of all occupants) as set forth in Section 73.07. The failure to comply with the requirements set forth in Section 73.04, 73.05, 73.06, 73.07 or 73.08 shall constitute a violation of the Chapter by the operator.

SECTION 73.12: Enforcement. All law enforcement officers in Town of Chandler shall have the power and it shall be their duty to enforce the provisions of this Chapter unless otherwise prevented by State statutes regarding the enforcement of State laws.

SECTION 73.13: Repeal of Inconsistent Ordinances. All ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 73.14: Severability. In the event any provision of this Chapter shall be deemed invalid or unenforceable, the remainder of the Chapter shall continue in full force and effect until repealed or modified by the Town Council or otherwise determined by a court of competent jurisdiction.

SECTION 73.15: Effective Date. This Chapter shall become effective upon passage by the Town Council of the Town of Chandler, attested by the Clerk/Treasurer, and published as required by Indiana Code §5-3-1-2.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CHANDLER, WARRICK COUNTY, INDIANA THIS _____ DAY OF _____, 2009.

Brian K. Lucas, President

Robert Hess, Jr. Councilman

Jeanette C. Lance, Councilman

Timothy D. Osha, Clerk-Treasurer



Golf Cart Permit Application

Name: _____ Age: _____ DL#: _____

Address: _____

Phone #: _____

Golf Cart Info

Make: _____ Model: _____

Year: _____ Color: _____

Insurance Policy: _____ Policy #: _____

Requirements

Headlights

Rear View Mirror

Tail Lights

Safe Operating Condition

Brakes

Brake Lights

Slow Moving Placard

Officer's Signature: _____ Date: _____

I acknowledge the receipt of Ordinance 2009-6 and do agree to abide by all requirements of Town of Chandler Ordinance 2009-6.

Applicant's Signature: _____ Date: _____