

**ORDIANCE NO. 2021-9-14.1**

**AN ORDINANCE AUTHORIZING THE OPERATION, AND REGULATING THE USE OF GOLF CARTS AND OFF-ROAD VEHICLES WITHIN THE TOWN OF MT. SUMMIT**

**WHEREAS**, pursuant to provisions of IC 9-21-1-3(a)(14), the Town of Mt. Summit, with respect to private roads and highways under the Town's, and in accordance with IC 9-21-1-2 and within the reasonable exercise of police power, may regulate golf carts and recreational off-road vehicles; and

**WHEREAS**, pursuant to the provisions of IC 9-21-1-3.3(a) the Town of Mt. Summit 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 if the ordinance does not conflict with or duplicate state law; and,

**WHEREAS**, pursuant to the provisions of IC 9-21-1-3.3(b) and (c), all fines assessed for a violation of the golf cart and recreational off-road vehicle ordinance shall be deposited into the general fund of the Town and violations of the ordinance shall constitute a Class C infraction; and,

**WHEREAS** the Town Board of the Town of Mt. Summit 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 BOARD OF THE TOWN OF MT. SUMMIT, INDIANA set forth as follows:**

**DEFINITIONS.**

For the purpose 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.

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 thirty dollars (\$30.00) to be paid through the Town office. Registration tags will be issued by the Mt. Summit Police Department after a satisfactory inspection of the golf cart or recreational off-road vehicle has been completed.

**PENALTY.**

A violation of the provisions of the City Code 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 Chief of Police for a period of up to six (6) months.

APPROVED AND ADOPTED by the Town Board of the Town of Mt. Summit, Indiana, this 6<sup>th</sup> day of October, 2021.



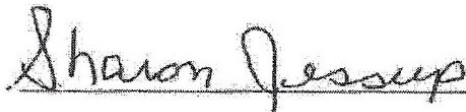
Betty Gipe, Board President



Dewey Hillman, Board Member



Caroline Utt, Board Member



Sharon Jessup, Clerk Treasurer