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ORDINANCE NO. 2017 – 20

**An Ordinance to Amend the City of Hobart Municipal Code Concerning the
Operation of Golf Carts on Public Thoroughfares of the City**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has taken notice of the proliferation of motorized golf carts upon the City’s streets and highways; and

WHEREAS, the operation of motorized golf carts on public thoroughfares presents the likelihood of grave danger to public safety, and the Council desires, through this Ordinance, to regulate their use; and

WHEREAS, the Council, having thoroughly discussed this issue over an extended period of time now desires to implement a program of safe operation of motorized golf carts through the adoption of this Ordinance.

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

SECTION ONE: The Municipal Code of the City of Hobart, Indiana (“Code”) is hereby amended by adding a new sub-chapter denominated “*Motorized Golf Carts*” to Chapter 70 entitled “GENERAL PROVISIONS,” containing the following new sections, commencing with §70.40 through §70.43, and containing the following language:

**§70.40. OPERATION OF MOTORIZED GOLF CARTS
UPON CITY STREETS AND THOROUGHFARES.**

(A) The term “golf cart” as used in this subchapter means a motorized conveyance, usually of four wheels, in which one or more persons may travel equipped with at least one bench seat for two persons, and designed, or derived from such design, for use by golfers and golf course maintenance personnel.

(B) No person shall operate a golf cart upon the streets, highways, alleys or other public thoroughfares of the City except in strict conformance with the provisions of this sub-chapter.

§70.41. GOLF CART RULES OF OPERATION.

At all times while operating a golf cart upon the

47 streets, highways, alleys or other public thoroughfares of
48 the City, the person operating the golf cart, shall observe
49 the following rules:
50

51 (A) No golf cart shall be operated on any street,
52 highway, alley or other public thoroughfare of the City
53 which has an established speed limit of more than thirty
54 (30) miles per hour.
55

56 (B) No golf cart shall be, at any time, operated on a
57 sidewalk or bicycle trail of the City.
58

59 (C) No person operating a golf cart upon the
60 streets, highways, alleys or other public thoroughfares of
61 the City, shall do so in an erratic, or reckless manner, or
62 obstruct the free and normal flow of other traffic, or fail to
63 yield the right of way to pedestrians and other vehicles as
64 required by prevailing traffic control signs, signals and
65 rules of the road, or engage in a speed contest, or drive in
66 excess of the posted speed limit.
67

68 (D) No person shall operate a golf cart who has not
69 obtained an Operator's License from the Indiana
70 Department of Motor Vehicles or who has not reached the
71 age of eighteen (18) years.
72

73 **§70.42. GOLF CART EQUIPMENT REQUIRED.**
74

75 Any golf cart operated upon the streets, highways,
76 alleys or other public thoroughfares of the City, if operated
77 later than thirty (30) minutes prior to sunset, or before
78 thirty (30) minutes after sunrise, shall be equipped with
79 working headlights, and tail lights which shall be on at all
80 times while the golf cart is in operation during said periods.
81

82 **§70.43. ENFORCEMENT.**
83

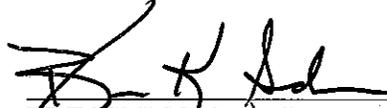
84 A person who violates any provision of this sub-chapter shall be
85 subject to the penalties prescribed in §10.99 of the Code.
86

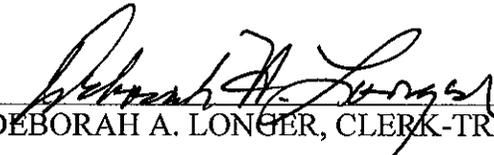
87 *SECTION TWO:* This ordinance shall become effective upon its adoption in the
88 manner required by law, and upon publication thereof pursuant to I.C. §36- 3-4-6-14(b)
89 in two newspapers of general circulation published within the City pursuant to I.C. §5-3-
90 1-4 (a).
91

92 *SECTION THREE:* All ordinances or portions thereof in effect prior to

93 the effective date and in conflict with the provisions of this ordinance are hereby
94 repealed.

95
96 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
97 Hobart, Indiana on this 6th day of September, 2017.

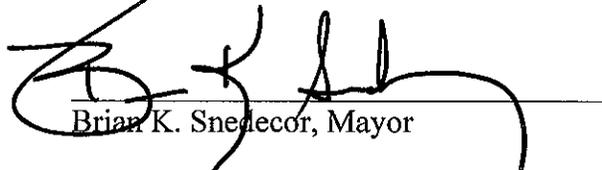
98
99
100 
101 PRESIDING OFFICER

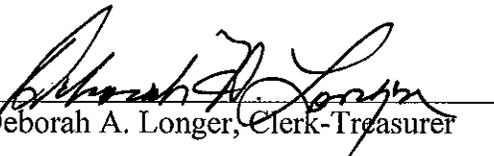
102
103
104 ATTEST: 
105 DEBORAH A. LONGER, CLERK-TREASURER
106

107
108
109
110 PRESENTED by me to the Mayor of the City of Hobart on the 6th day of September,
111 2017 at the hour of 7:10 pm.
112

113
114
115 
116 Deborah A. Longer, Clerk-Treasurer
117

118
119 APPROVED, EXECUTED and RETURNED by me to the Common Council of
120 the City of Hobart on this 6th day of September, 2017.
121

122
123
124 
125 Brian K. Snedecor, Mayor
126

127
128 ATTEST: 
129 Deborah A. Longer, Clerk-Treasurer