

ORDINANCE NO. 19-2015

AN ORDINANCE AUTHORIZING AND REGULATING
THE USE OF GOLF CARTS IN THE
TOWN OF PLAINFIELD, HENDRICKS COUNTY, INDIANA

WHEREAS, Ind. Code §9-21-1-3, authorizes the Town of Plainfield, Hendricks County, Indiana ("Plainfield"), within its reasonable exercise of police power, to regulate or prohibit the operation of golf carts on its public highways;

WHEREAS, Plainfield has determined that the operation of golf carts on certain highways within Plainfield's jurisdiction should be allowed where authorized and regulated;

WHEREAS, Plainfield has determined that golf carts may be safely operated on some public highways without presenting an imminent danger to golf cart operators, pedestrians or drivers; and

WHEREAS, Plainfield now desires to authorize the operation of golf carts on some public highways within Plainfield's corporate boundaries.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Plainfield, Hendricks County, Indiana, that:

Section 1. **Definitions.**

For purposes of this ordinance, the following definitions shall apply:

- A. "Designated Highway" shall mean a highway that Plainfield has determined that Golf Carts can be safely operated if operated in compliance with this Ordinance and traffic signs approved by Plainfield have been installed designating the Highways that are available for Golf Cart use.

- B. "Golf Cart" or "Cart" shall mean a four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals for the purpose of playing the game of golf on a golf course.

- C. "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 the ownership, maintenance, or use of a Golf Cart in the following amounts:
 - (1) Twenty-Five Thousand Dollars (\$25,000) because of bodily injury to or death of any one (1) person;

- (2) Subject to the limit in subdivision (1), Fifty Thousand Dollars (\$50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident; and
- (3) Ten Thousand Dollars (\$10,000) because of injury to or destruction of property in any (1) accident.

Section 2. Application.

This ordinance applies to Plainfield Highways and other public ways and sidewalks. Nothing herein shall be construed to apply to or limit the use of golf carts on (1) golf courses; (b) private property or (c) Plainfield's use of golf carts on Plainfield's municipal property for official purposes.

Section 3. Designated Highways.

The following highways are designated for the operation of Golf Carts:

- A. The highways in that portion of the Pulte Homes of Indiana, LLC development rezoned as a PUD by Plainfield on February 24, 2014 that is designated as Age Restricted Housing (ARH DEVELOPMENT), as identified on attached Exhibit "A"

Section 4. Prohibition Against Operation-Time of Operation; Required Equipment.

Golf Carts shall be equipped with a rearview mirror and shall only be operated on Designated Highways from sunrise to sunset unless such Golf Cart is equipped with headlights, taillights, brake lights and turn signals.

Section 5. Valid License Required.

Only persons possessing a valid driver's license issued by the State of Indiana, another state of the United States of America or an international agency shall be permitted to operate a Golf Cart on Plainfield's Highways.

Section 6. Public Ways.

Golf Carts shall not be operated on Plainfield's sidewalks, non-designated public ways, highways or trails.

Section 7. State and Plainfield Traffic Regulations

The operation of a golf cart as allowed by this Ordinance shall at all times be operated in accordance with all state and Plainfield traffic regulations.

Section 8. **Parking of Golf Carts.**

While not going to or from or being used on a golf course, all Golf Carts shall be parked (1) inside a Garage or (2) temporarily outside during the day on a hard-surfaced driveway.

Section 9. **State Highways.**

In accordance with I.C. 9-21-1-3.3(d) a violation of this Ordinance on a state highway by the operator of a golf cart is considered to be an ordinance violation.

Section 10. **Penalties.**

Any person who violates this Ordinance shall be fined Fifty Dollars (\$50.00) for the first offense and One Hundred Dollars (\$100.00) for each offense thereafter. A separate offense shall be deemed committed for each day a violation occurs or continues to occur.

Section 11. **Saving Clause.**

If any section, provision or part of the Ordinance shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any sections, provisions or parts thereof not adjudged invalid or unconstitutional.

Section 12. **Effective Date.**

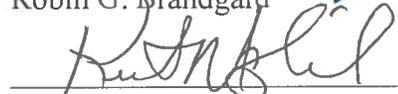
This Ordinance shall be in full force and effect from and after its adoption by the Town Council, the signage required by the Ordinance is installed and upon publication as required by law.

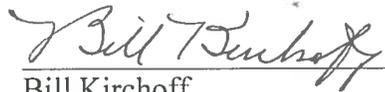
[SIGNATURES ON NEXT PAGE]

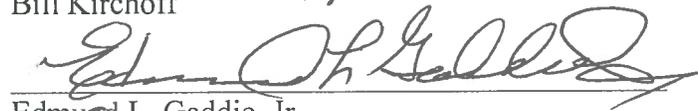
Passed and adopted the 23rd day of NOV, 2015.

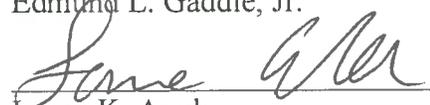
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA:


Robin G. Brandgard


Kerit McPhail


Bill Kirchoff


Edmund L. Gaddie, Jr.


Lance K. Angle

ATTESTED BY:

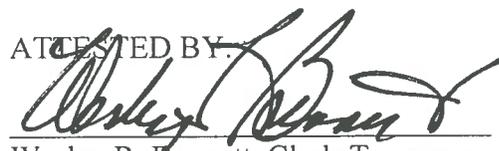
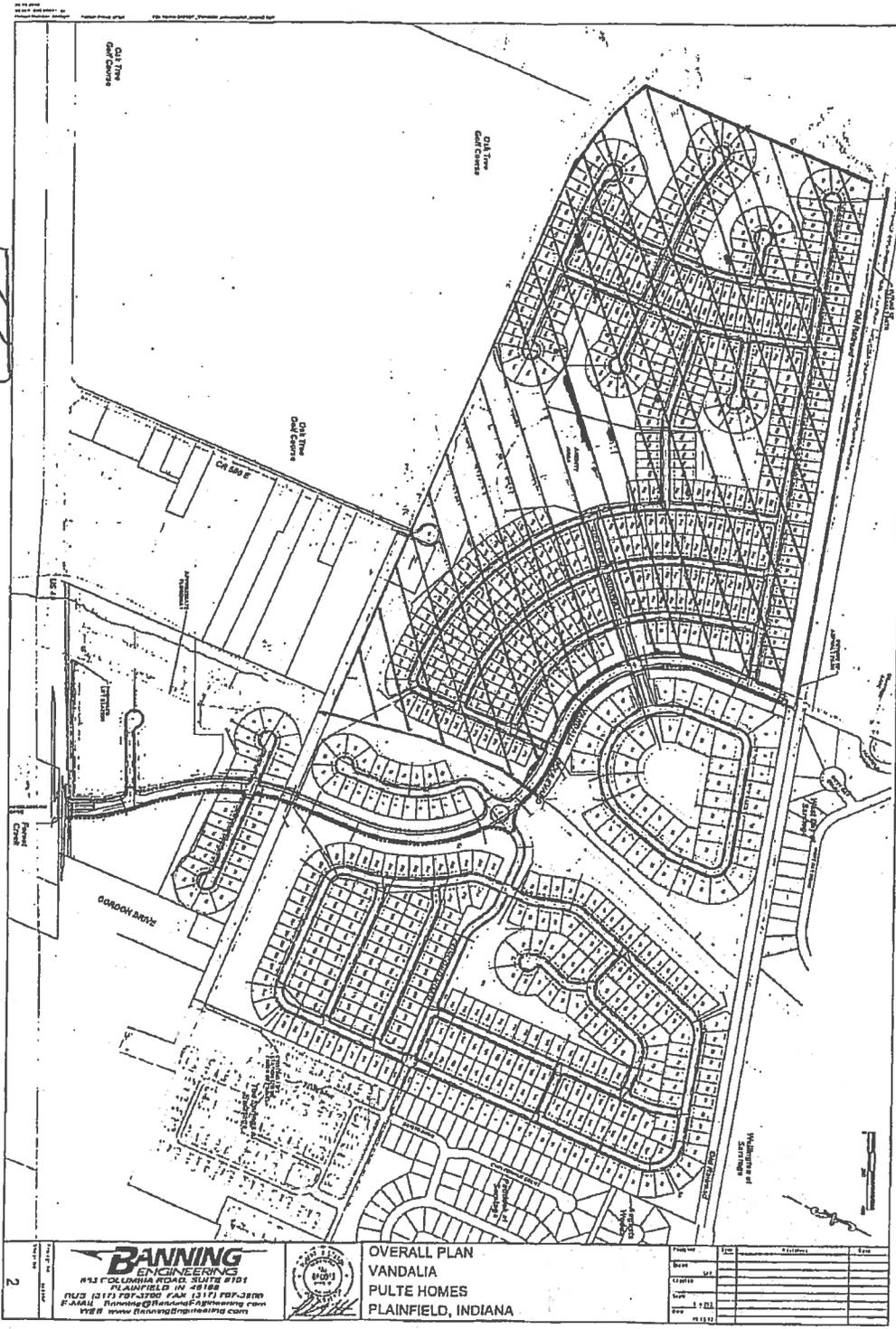
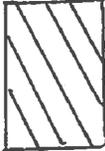

Wesley R. Bennett, Clerk-Treasurer
of the Town of Plainfield, Indiana

EXHIBIT "A"

ARR DEVELOPMENT



BANNING
ENGINEERING
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WWW: www.BanningEngineering.com

OVERALL PLAN
VANDALIA
PULTE HOMES
PLAINFIELD, INDIANA

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	11/11/12	
2	REVISED		
3	REVISED		
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