

ORDINANCE NO. 2009-01

**AN ORDINANCE AMENDING ORDINANCE NO. 2008-03
REGARDING REGULATIONS OF GOLF CARTS**

RECITALS

- A. The Town of Hamilton regulates golf carts pursuant to Ordinance No. 2008-03.
- B. The Council deems it advisable to make several amendments to the ordinance for further convenience to the citizens and visitors to the community while at the same time addressing traffic hazards and safety issues.

NOW, THEREFORE, BE IT ORDAINED by the Hamilton Town Council as follows:


- 1. Paragraph 4 of Ordinance No. 2008-03 shall be amended to provide that the annual registration is for a period of time from April 1st to March 31st of the following year, at which time the annual registration shall expire.
- 2. The registration fee shall be as follows:
 - a. Twenty-five Dollars (\$25.00) for annual registration.
 - b. Five Dollars (\$5.00) for a daily registration.
 - c. Ten Dollars (\$10.00) for an event registration. An event, and the duration of the event shall be determined by the office of the Clerk-Treasurer.
- 3. Paragraph 7 shall be amended to provide that each golf cart that is to be operated after sundown and before sunup shall be equipped with properly functioning headlights taillights.
- 4. A golf cart lawfully registered in another city or town will be deemed registered in the Town of Hamilton, provided, however, that the other city or town has an ordinance requiring the same equipment and requiring liability insurance identical to the Town of Hamilton.
- 5. Paragraph 11 shall be amended to include the following:


All violations shall be enforced through the Ordinance Violations Bureau.
- 6. All other provisions of Ordinance 2008-03 shall remain in full force and effect except as modified herein.

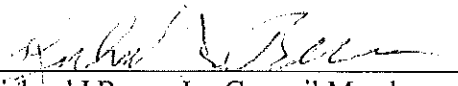
This ordinance shall be in full force and effect from and after its passage and any publication which may be required by law.

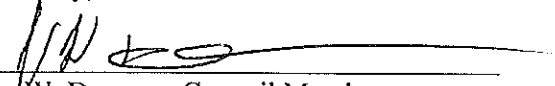
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAMILTON,
INDIANA, ON THE 2nd DAY OF NOVEMBER, 2009.

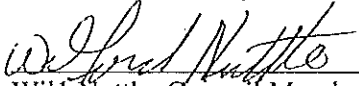
TOWN COUNCIL OF THE TOWN OF HAMILTON, INDIANA


Brent L. Shull, Town Council President

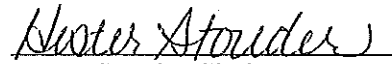

Jeff Birely, Council Member


Richard I Bacon Jr., Council Member

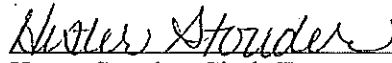

John W. Damron, Council Member


Will Nuttle, Council Member

ATTEST:


Hester Stouder Clerk-Treasurer

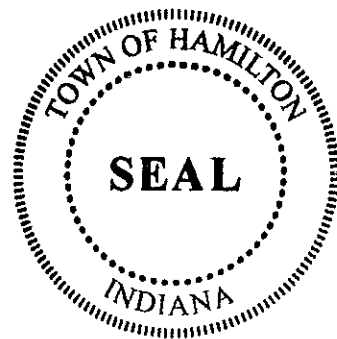
Presented to the President of the Town Council of the Town of Hamilton this 2nd day of November, 2009, at 7:00 o'clock A.M./P.M.


Hester Stouder, Clerk-Treasurer

Approved by me this 2nd day of NOVEMBER 2009, at 7:00 o'clock A.M./P.M.

PRESIDENT OF TOWN COUNCIL, HAMILTON, INDIANA


By: Brent L. Shull



ORDINANCE NO. 2008-03

AN ORDINANCE AMENDING THE HAMILTON TOWN CODE, REPEALING PRIOR ORDINANCE 2006-05, AND PROVIDING FOR THE REGISTRATION AND REGULATION OF GOLF CARTS WITHIN THE TOWN OF HAMILTON

RECITALS

- A. The Hamilton Town Council has by Ordinance 2006-05, adopted on the 5th day of June, 2006, provided for the registration and regulation of golf carts within the Town of Hamilton for the reason that there is a lack of state regulation on golf cart traffic and for the reason that it is becoming commonplace for citizens to operate golf carts in the Town.
- B. Indiana Code 9-21-9, *et seq.*, provides for, among other things, certain statutory regulations regarding slow moving vehicles.
- C. That the necessity continues to exist for the implementation of traffic flow regulation with respect to golf carts and golf cart traffic on and through the streets and alley of the Town.
- D. Unregulated operation of golf carts and golf cart traffic upon streets and alleys in the Town may present a traffic hazard and safety issue and is in need of regulation.

NOW, THEREFORE, BE IT ORDAINED by the Hamilton Town Council as follows:

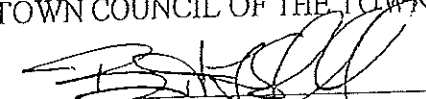
- 1. For purposes of this ordinance, golf carts, which also may be referred to and are intended to include golf cars, are defined as a self propelled vehicle originally designed for or similar to a vehicle originally designed for driving on a golf course and which vehicle is intended to be driven for limited distances at relatively slow speeds and which have factory equipped steering wheels and factory equipped mufflers.
- 2. Only persons with a valid operator's license issued by the State of Indiana or by the state of residence of the operator of the golf cart may operate a golf cart upon the streets and alleys in the Town.
- 3. All golf carts to be operated on the public streets and alleys shall be registered with the Town of Hamilton and the owner thereof shall pay an annual registration fee. All registrations expire December 31 of each year. The registration forms are available in the Office of the Clerk-Treasurer and the registration fee shall be paid to the Town through the Office of the Clerk-Treasurer. Upon the effective date of this ordinance, the registration fee shall be Forty Dollars (\$40.00) annually. At the time of registration, the owner shall present proof of insurance insuring not only the golf cart from property damage but also carrying property damage and personal liability coverage for injury or damage to property of others and of personal injury to other persons with a minimum combined single limit of \$100,000.00. Prior to the issuance of the registration by the Clerk-Treasurer, the golf cart shall be inspected by the Town Marshall to ensure compliance with the terms of this ordinance. All provisions of this ordinance apply to owner operated golf carts as well as those leased or rented from a vendor.


insurance

4. All golf carts being operated pursuant to the terms of this ordinance shall obey all of the rules of the road and traffic regulations of the State of Indiana and the Town of Hamilton and shall also display an orange flag or pennant attached to a pole so that the flag or pennant is at least seven (7) feet above the surface of the street.
5. All golf carts shall comply with the provisions of Indiana Code 9-21-9 (Slow Moving Vehicles) in effect at the time of the adoption of this ordinance and as amended from time to time. All golf carts being operated after dusk shall be equipped with head lights, tail lights and turn signals.
6. No golf carts shall be operated upon any sidewalk within the Town of Hamilton.
7. Golf carts shall equipped with rear view mirrors and factory seating and occupancy shall not exceed that to be accommodated by factory seating. No person under the age of two (2) years shall be allowed to ride on a golf cart and all persons under the age of ten (10) years must ride in the front seat. The driver and all passengers in the golf cart must be seated while the cart is in motion.
8. The Town Council may exempt from the provisions of this ordinance the use of golf carts by a public safety personnel.
9. A violation of the provisions of this ordinance shall be punishable by a fine in a sum not to exceed One Hundred Dollars (\$100.00). Each day a violation of this ordinance is permitted or suffered to continue shall constitute a separate and distinct offense. If two (2) or more violations occur within the same calendar year, the registration shall be suspended for the balance of the calendar year.
10. Upon this ordinance being adopted and becoming effective, Ordinance 2006-05 shall be repealed in its entirety.
11. This Ordinance shall be in full force and effect from and after its passage and any publication which may be required by law.

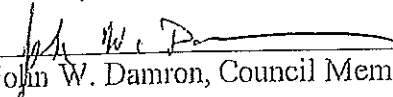
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAMILTON, INDIANA, ON THE 12th DAY OF July, 2008.

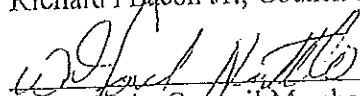
TOWN COUNCIL OF THE TOWN OF HAMILTON, INDIANA

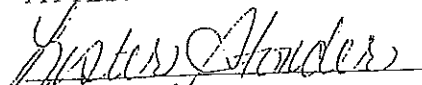

Brent L. Shull, Town Council President


Jeff B. Wely, Council Member

Richard I Bacon Jr., Council Member


John W. Damron, Council Member


Will Nuttle, Council Member

ATTEST:

Hester Stouder
Clerk-Treasurer

Presented to the President of the Town Council of the Town of Hamilton this 18 day of May, 2008, at 7:00 o'clock A.M. (P.M.)

Hester Stouder
Hester Stouder, Clerk-Treasurer

Approved by me this 18th day of May, 2008, at 7:30 o'clock A.M. (P.M.)

President of Town Council, Hamilton, IN
[Signature]
By: _____
Brent L. Shull