

**TOWN OF LONG BEACH, LAPORTE COUNTY, INDIANA**

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE ESTABLISHING GOLF CART USAGE REGULATIONS IN THE TOWN OF LONG BEACH, LAPORTE COUNTY, INDIANA,**

**WHEREAS**, the Town Council of the Town of Long Beach, LaPorte County, Indiana (hereinafter, the “Town Council”), has been informed by residents in the Taown of interest in use of golf carts to be operated on public streets, roads and alleys within the Town; and

**WHEREAS**, the Town Council has assessed the request of its citizens to use golf carts on Town public streets, roads, and alleys, and has directed review assessment of said request by the Town administrative staff and Police Department; and

**WHEREAS**, the Town Council, upon its own review, as well as the information provided by its administrative staff and Police Department, and review of applicable law, now concurs and agrees that it is appropriate, advisable, and in the best interests of its citizens for that usage of golf carts on public streets, roads, and alleys in the Town of Long Beach, regulations be established consistent with applicable law, as such regulations are in the best interests of the residents of the Town for their general health, well-being and safety,

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LONG BEACH, LAPORTE COUNTY, INDIANA AS FOLLOWS:**

**SECTION ONE**: There are hereby established regulations for the use and operation of golf carts on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, as set forth hereinafter in this enabling Ordinance. The use and operation of golf carts on public streets, roads and alleys in the Town of Long Beach is permitted and authorized when such use and operation is in compliance with the stated regulations herein and applicable provisions of I.C. § 9-21-1-3.3, et seq., as amended.

**SECTION TWO**: The definition of golf cart is as specified hereinafter, namely:

**“GOLF CART” DEFINITION**: “Golf Cart” means a four (4) wheeled motor vehicle originally and specifically intended/constructed to transport one (1) or more individuals. For purposes of this Ordinance, and as same is amended hereafter from time to time, a golf cart shall be included in the definition of a slow moving vehicle as the same is defined in I.C. § 9-21-9-1; is not under ordinary circumstances moved, operated, or driven at a speed greater than twenty-five (25) miles per hour.

**SECTION THREE**: Any individual seeking to use and operate a golf cart, as defined, on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, shall be a licensed

driver under applicable Indiana Law. Such individual using and operating a golf cart in the Town of Long Beach shall have such license on his or per person at all times, as when operating a motor vehicle, during the use and operation of any golf cart in the Town.

**SECTION FOUR:** The following regulations are hereby established for the operation and usage of gold carts on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, namely:

A. **REGISTRATION FEE.** All golf carts used and operated on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, shall be registered annually with the Town permits issued/fees collected the office of the Clerk Treasure. The owner of such golf cart shall be registered shall complete a registration form and pay the applicable fee for same. The initial/annual registration fee for golf carts shall be the amount of One Hundred Fifty Dollars (\$150). The registration, upon issuance, shall be valid for the calendar year period, with each registration issued expiring December 31, of each year. For purposes of the registration fee, the annual calendar year shall be the term of the registration, and the full amount of the fee shall be charged and collected. Upon compliance with registration requirements, the Town shall issue two (2) three inch (3”) registration stickers, which shall be affixed to the left and rights sides of the golf cart.

B. **INSURANCE; PROOF OF INSURANCE; FINANCING RESPONSIBILITY.** All golf carts to be operated and used on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, shall be insured, with said proof of insurance to be provided to the Town with the initial and subsequent annual Registrations. Insurance proof shall be maintained and kept in a golf cart at all times during any usage and operation of such golf cart.

C. **SLOW MOVING VEHICLE EMBLEM DISPLAY.** All golf carts registered for operation and usage on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, must display at all times a Slow Moving Vehicle Emblem and/or a red or amber flashing light, unless the vehicle is equipped with taillights which much be operational and turned on while driving. Further, all golf carts operated, or operating after dusk and before dawn, shall be equipped with headlights, taillights, and turn signals in working order, at all times during such dusk and before dawn operation on Town public streets, roads and alleys.

D. **COMPLIANCE WITH TRAFFIC LAW AND TOWN ORDINANCES.** All operators and users of a registered golf cart on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, shall comply with and follow State Traffic Laws under the provisions of I.C. § 9-21, et seq., as amended, and all applicable provisions of the Town Code as currently in effect, or as amended hereafter from time to time, pertaining to Motor Vehicle Operation in the Town.

E. **PLACES OF OPERATION.** Usage and operation of golf carts shall be restricted to the public streets, roads and alleys in residential neighborhoods and communities in the Town. Such golf carts shall operate and be used at a maximum speed limit of twenty-five (25) mph. Exceeding a speed limit of twenty-five (25) mph shall be violative of this Ordinance and its regulations set forth.

F. **OCCUPANCY.** There shall be no usage or operation of a golf cart on public streets, roads and alleys in the Town of Long Beach, LaPorte County, Indiana, with any more passengers, including operator, than designed for the golf cart to transport. An operator and/or passengers shall remain seated in a designated seat and no extension of any body part outside the interior of the golf cart shall occur while the golf cart is being used and operated

G. **PARKING.** Golf carts are subject to the same parking requirements and restrictions outlined in the parking ordinances adopted by the Town of Long Beach, with the exception that Golf carts do not require an additional hang tag at the north lot behind Town Hall or Melrose Park. Golf cars may not be parked at beach stops, except for the allowable 10-minute loading and unloading period.

**SECTION FIVE: PENALTIES.** Any individual violating any provision of this enabling Ordinance, as same is amended hereafter from time to time, shall, upon determination of violation, be subject to one (1) or more of the following penalties, namely:

A. **FINES.** A fine shall be issued of no less than Fifty Dollars (\$50.00) for a first offense, and no less than One Hundred Dollars (\$100.00) for a second or subsequent offense. Operation of a golf cart by an underaged operator shall result in a Five Hundred Dollar (\$500) for the first offense and Two Thousand Five Hundred Dollars (\$2,500) for any subsequent offense. The determination of period of time for a fine shall be a calendar year, with computation of time for fines being each calendar year. Any fines referred to the Town's attorney for enforcement and/or collection shall also result in the imposition of applicable attorney's fees.

B. **SUSPENSION OF R REVOCATION OF REGISTRATION/USAGE PRIVILEGE.** An individual failing or refusing to pay a fine assessed hereunder for violation of this enabling Ordinance, who is cited with three (3) or more violations of this Ordinance in a calendar year, and/or permits the underage operation of a golf cart shall be subject to suspension of operations and usage registrations for a golf cart and/or revocation, and with such suspension or revocation, shall be prohibited from operating or using a golf cart on the public streets, roads, and alleys in the Town of Long Beach thereafter for at least one (1) calendar year period. Operational privileges may be reinstated by the Long Beach Police Department with simultaneous processing of Golf Cart Usage Registration.

**SECTION SIX:** All existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance are, hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION SEVEN:** If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

**SECTION EIGHT:** This Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Long Beach, LaPorte County, Indiana, and publication in conformance with applicable law. The usage regulations established hereby will be implemented and enforced January 1, 2020, and thereafter upon adoption hereof as set forth.

**ALL OF WHICH IS PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF December, 2020, BY THE TOWN COUNCIL OF THE TOWN OF LONG BEACH, LAPORTE COUNTY, INDIANA.**

ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

LONG BEACH TOWN COUNCIL

By:

\_\_\_\_\_  
Robert LeMay, President

\_\_\_\_\_  
Nicholas Meyer, Vice-President

\_\_\_\_\_  
John Kocher

\_\_\_\_\_  
Mary Lou McFadden

\_\_\_\_\_  
John Wall

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
William DeFuniak, Clerk-Treasurer