

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2021 – OR – 025**

**AN ORDINANCE ESTABLISHING THE GOLF CART POLICY  
FOR THE TOWN OF SELLERSBURG, INDIANA**

**WHEREAS**, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

**WHEREAS**, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

**WHEREAS**, Ind. Code § 9-21-1-3.3 avers:

(a) a city, county, or town may adopt by ordinance traffic regulations concerning the use of golf carts or off-road vehicles, or both on a highway under the jurisdiction of the city, county, or town. An ordinance adopted under this subsection may not:

(1) conflict with or duplicate another state law; or

(2) conflict with a driver's licensing requirement of another provision of the Indiana Code.

(b) A fine assessed for a violation of a traffic ordinance adopted by a city, county, or town under this section shall be deposited into the general fund of the city, county, or town.

(c) Notwithstanding subsection (a), an ordinance adopted by a county under this section:

(1) may allow an operator of a golf cart or off-road vehicle to cross a highway in the state highway system, at right angles, in order to travel from one (1) highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely; and

(2) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart or off-road vehicle.

(d) A violation of an ordinance adopted under this section that is committed on a state highway by the operator of a golf cart or off-road vehicle is considered to be an ordinance violation.

**WHEREAS**, the Sellersburg Police Department has historically received numerous 911 calls related to operation of golf carts on town's roads and highways and as a direct result this Council now desires to establish a Golf Cart Policy for the Town of Sellersburg, Indiana for the safety of its residents.

**NOW THEREFORE BE IT ORDAINED** by this Town Council of Sellersburg, Indiana the following:

1. Title. This Ordinance shall be known as the "Golf Cart Policy for the Town of Sellersburg, Indiana."
2. Authority. Pursuant to Ind. Code § 9-21-1-3.3 this Council desires to allow and regulate the use of golf carts on certain Sellersburg streets in a manner not in conflict with Indiana law.
3. Permitted Streets. Golf carts that meet the standards for the general requirements of a motor vehicle, as defined herein below, shall be permitted to be operated by a person with a valid driver's license or a person holding learner's permit accompanied by an adult, on the following types of roads:
  - a) Local Roads: those roads that serve primarily to provide access to the traffic originating from the properties and discharge them onto collector roads. They serve a minor role in the classification system and usually have low traffic. On Local Roads speed is usually kept low due to the frequent movements of children and adults both in the residential area.
4. Prohibited Streets. Golf carts are prohibited from being operated on the following streets:
  - *Perry Crossing Road*
  - *Allentown Road*
  - *East St. Joe Road*
  - *Ohio Ave. (South of Hill-N-Dale entry to Enterprise Dr.)*

- *Dreyer Lane*
- *West Utica Street*
- *East Utica Street*
- *Prather Street*
- *North New Albany Street*
- *South New Albany Street*
- *Broadway Street*
- *Popp Avenue*
- *South Fern Street*
- *North Fern Street*
- *South Penn Avenue*
- *Appleleaf Lane*
- *Greenwood Road*
- *Payne Koehler Road*
- *Old Highway 60*
- *SR 60*
- *CO 311(Charlestown Road)*
- *US 31(North and South Indiana Avenue)*

5. Required Golf Cart Equipment and Documents. Operators of the golf carts shall be required to have the following equipment on each golf cart and shall also provide the following documents:

- a) Headlights
- b) Brake lights
- c) Rear View Mirror
- d) Seat Belt(s)
- e) Tail Lamps
- f) Turn Signals
- g) Verification of Residency
- h) Proof of Insurance (Homeowners Insurance)

6. Permitting Process. A person wishing to operate a golf cart on the Local Roads not otherwise prohibited herein, shall make contact the Sellersburg Police Department to make application and to have his or her golf cart inspected.

The cost of the application is \$10.00 and upon the successful inspection of the golf cart by the police department, he or she will be issued a sticker, which will serve the function of a permit, to be placed in an unobstructed manner on the exterior of the golf cart. The permit is valid for five (5) years.

However, the Sellersburg Police Department retains the right to revoke the permit any time, at the sole discretion of the police department, if it is determined that the golf cart no longer meets the requirements of this Ordinance. If the permit holder

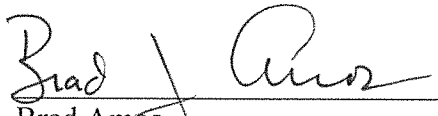
disagrees with the revocation, he or she may petition this Council in writing for review of the decision at the next regularly scheduled meeting of the Town Council.

7. Effect. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

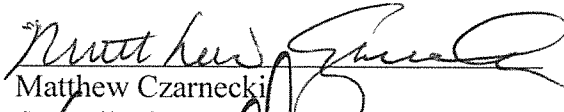
So Ordained this 13<sup>th</sup> day of September, 2021


“Aye”

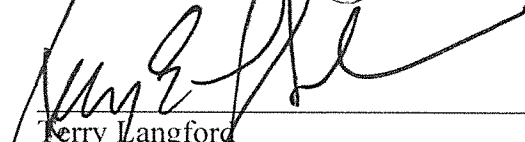
“Nay”

  
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Brad Amos  
Council President

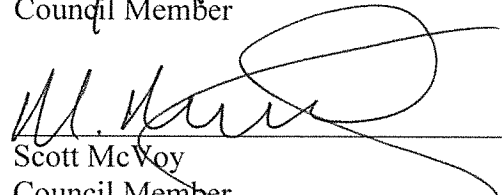
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Brad Amos  
Council President

  
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Matthew Czarnecki  
Council Vice President

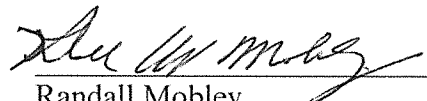
  
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Matthew Czarnecki  
Council Vice President

  
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Terry Langford  
Council Member

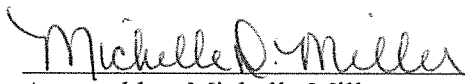
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Council Member

  
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Scott McVoy  
Council Member

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Randall Mobley  
Council Member

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Council Member

  
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Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/23/2021

MOTION: M<sup>o</sup>Voy

SECOND: Langford

VOTE: 4 AYE 1 NAY 0 ABSTAIN  
*Mohley*

SECOND READING

DATE: 9/13/2021

MOTION: M<sup>o</sup>Voy

SECOND: Czarniecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

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