

ORDINANCE 2025-01

Synopsis: This ordinance, if adopted, will amend Section 74.06 of the Town of Roanoke Code of Ordinances to authorize the operation of golf carts and certain utility task vehicles on Town streets year-round. (copy of complete Ordinance attached)

**AN ORDINANCE AMENDING SECTION 74.06
OF THE TOWN OF ROANOKE CODE OF ORDINANCES**

BE IT ORDAINED, by the Town Council of the Town of Roanoke, Indiana, in meeting duly assembled and after consideration of information deemed by it to be sufficient, that Section 74.06 of the Town of Roanoke Code of Ordinances be and is hereby amended with the following:

§ 74.06 TIME OF OPERATION AND NIGHTTIME RESTRICTIONS.

No golf cart or UTV shall be operated on a town street between the time of ½ hour after sunset and ½ hour before sunrise unless the golf cart or UTV is registered under this chapter and equipped with 2 headlamps, 2 tail lamps, front and rear turn lamps, and rear brake lamps, all of which must be visible from a distance of at least 500 feet. Golf carts and UTVs are permitted to operate on town streets year-round, weather permitting.

Upon Council’s unanimous consent to consider Ordinance 2025-01 for final adoption on the same day of its introduction, Ordinance 2025-01 was duly adopted this 7th day of January 2025, by a vote of 5 in favor and 0 opposed.

ROANOKE, INDIANA by its TOWN COUNCIL

Voting in Favor:

Amanda R Sands

Amanda Sands
(President)

Brian Humphries

Brian Humphries

Tinisha Weigelt

Tinisha Weigelt

Terri L. Edmiston

Terri Edmiston

Nicholas Scheer

Nicholas Scheer

Voting in Opposition:

ATTEST:

By Sarah Milton as Clerk-
(Sarah Milton) Treasurer

“SECTION 74: OPERATION OF GOLF CARTS and UTILITY TASK VEHICLES.

Section:

- 74.01 Definitions
 - 74.02 Unlawful operation of a golf carts or utility task vehicles
 - 74.03 Requirement of local registration
 - 74.04 Requirement of driver's license
 - 74.05 Requirement of financial responsibility
 - 74.06 Time of operation and nighttime restrictions
 - 74.07 Slow moving vehicle reflective sign
 - 74.08 Place of operation
 - 74.09 Traffic laws and ordinances
 - 74.10 Occupants
 - 74.11 No towing
 - 74.12 Exceptions
 - 74.13 Revocation of registration and eligibility to operate golf carts or utility task vehicles
- 74.99 Penalty

§ 74.01 DEFINITIONS.

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FINANCIAL RESPONSIBILITY. Liability insurance coverage on a golf cart and UTV in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana the meaning given in I.C. 9-25-4-1 *et seq.* as it now reads or is subsequently amended.

GOLF CART. A 4-wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

OPERATE. To exercise any control over the function or movement of a golf cart or UTV.

SLOW MOVING VEHICLE REFLECTIVE SIGN. A triangle shaped reflective sign of the same type required under state law.

STATE HIGHWAY. Any street under the control of and maintained by the state shall include but not be limited to Highway 24.

TOWN STREET. The entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel within the corporate limits of the town. **TOWN STREET** includes but is not necessarily limited to streets, alleys, roads, highways, and thoroughfares.

UTILITY TASK VEHICLE (UTV). A small, two to six (2-6) person, four-wheel, off-road vehicle with a steering wheel as opposed to handlebars, sometimes referred to as a "Side by Side"; "Utility Terrain Vehicle", or "Recreational Off-Highway Vehicle". Examples include Polaris and Gator. It *does not include* a farm vehicle being used for farming, including, but not limited to, a farm wagon; a vehicle used for military or law enforcement purposes; a construction, mining, or other industrial related vehicle used in the performance of the vehicle's common function, including, but not limited to, a farm wagon; a snowmobile; a registered aircraft; any other vehicle properly registered by the bureau of motor vehicles; and any watercraft that is registered under Indiana statutes.

DRIVER'S LICENSE. A valid license to operate a motor vehicle issued by the State of Indiana or any other state.

§ 74.02 UNLAWFUL OPERATION OF GOLF CARTS OR UTILITY TASK VEHICLES.

It shall be unlawful to operate a golf cart or UTV on any town street except as specifically authorized by this section. Any person who operates a golf cart or UTV in violation of this section shall be subject to penalty as set forth below.

§ 74.03 REQUIREMENT OF LOCAL REGISTRATION.

(A) Local registration required.

(1) Any golf cart or UTV operated on a town street must be registered at the town Police Department.

(2) The annual registration certificate will be valid from January 1 until December 31 of the year in which it is issued.

(3) The current registration certificate shall be displayed at a location on or about the golf cart or UTV at all times that it is in operation where it can be seen easily.

(B) Registration fee.

(1) Each registrant shall provide the vehicle identification number and proof of financial responsibility and shall pay a registration fee of \$25 for each golf cart or UTV to be registered for that year or the remaining portion thereof; or

§ 74.04 REQUIREMENT OF DRIVER'S LICENSE.

The operator of a golf cart or UTV on a town street must have a valid driver's license issued by the State of Indiana or any other state and must possess that license while operating the golf cart or UTV.

§ 74.05 REQUIREMENT OF FINANCIAL RESPONSIBILITY.

No person may operate a golf cart or UTV on any town street unless financial responsibility is in effect with respect to the golf cart or UTV as provided under IC 9-25-4-4, as it now reads or is subsequently amended.

§ 74.06 TIME OF OPERATION AND NIGHTTIME RESTRICTIONS.

No golf cart or UTV shall be operated on a town street between the time of ½ hour after sunset and ½ hour before sunrise unless the golf cart or UTV is registered under this chapter and equipped with 2 headlamps, 2 tail lamps, front and rear turn lamps, and rear brake lamps, all of which must be visible from a distance of at least 500 feet. *Golf carts and UTVs are permitted to operate on town streets year-round.*

§ 74.07 REQUIREMENT OF SLOW-MOVING VEHICLE SIGN.

No golf cart or UTV shall be operated on a town street unless the golf cart or UTV is equipped with a properly displayed slow moving vehicle reflective sign clearly visible from behind.

§ 74.08 PLACE OF OPERATION.

No golf cart or UTV shall be operated on or at any of the following:

(A) An operator of a golf cart or UTV must operate said golf cart or UTV at a rate of speed which is not greater than is reasonable and proper, having due regard for the conditions then existing, shall obey posted speed limits and may not operate said golf cart or UTV in excess of 30 m.p.h. An operator of a golf cart or UTV shall abide by all traffic laws and signs governing the operation of motor vehicles in the town and as set forth in the Indiana Code.

(B) No golf cart or UTV may be operated on a highway, as defined herein, except for the purpose of crossing a highway, perpendicularly, at an intersection within a town street.

(C) No golf cart or UTV shall be driven or parked on any private property without the consent of the property owner or on a sidewalk, public trail, or public greenway not specifically designated for use by a motor vehicle.

(D) No gas-powered golf cart or UTV shall be operated unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke. IC 14-16-1-23.

(E) Any and all operators and riders of a UTV who are under the age of 18 years shall wear helmets at all times while said UTV is in operation.

(F) No golf cart or UTV shall be operated within 100 feet of a dwelling between 9:00 p.m. and 6:00 a.m. except on the individual's own property or property under the individual's control or as an invited guest.

§ 74.09 TRAFFIC LAWS AND ORDINANCES.

The operator of a golf cart or UTV on a town street shall comply with all then effective traffic laws, ordinances, rules, and regulations adopted by the state and the town.

§ 74.10 OCCUPANTS.

(A) *Number and placement.* The number of occupants of a golf cart or UTV shall be limited to the lesser of six (6) persons or the number of persons for whom factory seating is installed on the golf cart or UTV. The operator and occupants shall be properly seated at all times, and no part of the body of the operator or occupants shall extend outside the perimeter of the golf cart or UTV while the golf cart or UTV is in operation, except that the operator shall use proper traffic hand signals when required.

(B) *Minor as operator.* If the operator of a golf cart or UTV is under eighteen (18) years of age, no more than two (2) additional persons under the age of eighteen (18) are permitted to occupy that golf cart or UTV.

(C) *Infants prohibited.* No one under the age of two (2) years shall be permitted as an occupant of a golf cart or UTV on a town street.

§ 74.11 NO TOWING.

No golf cart or UTV shall be used to tow any type of trailer or other vehicle.

§ 74.12 EXCEPTIONS.

The town Police Department shall have the authority to specifically permit the use of golf carts or UTVs by identified persons at special events without compliance with specifically specified provisions of this chapter, provided, however, that permission must be written, the operator of the golf cart or UTV must be a licensed driver, and financial responsibility must be in effect with respect to the golf cart or UTV.

§ 74.13 REVOCATION OF REGISTRATION AND ELIGIBILITY TO OPERATE GOLF CART OR UTILITY TASK VEHICLES.

Any unsafe operation, multiple violations, failure to maintain financial responsibility, or failure to pay fines in accordance with this chapter may, as reasonably determined by the Town Marshal or the Town Marshal's authorized designee, result in the revocation of a golf cart or UTV registration and the violator's eligibility to operate a golf cart or UTV on town streets for up to one (1) calendar year.

§ 74.99 PENALTY.

(A) Failure to comply with this chapter will result in fines and penalties as follows: first offense: \$25 fine; second offense: \$50 fine; and each additional offense: \$100 fine.

(B) An offense is defined as each separate violation of this chapter which occurs while operating a golf cart or UTV.

(C) The golf cart or UTV may be impounded by the law enforcement officer. In the event of impoundment, the golf cart or UTV shall not be released until the basis of the violation has been corrected and all towing and impoundment fees incurred as a result of the impoundment of the golf cart or UTV have been paid by the owner or operator of the golf cart or UTV.”

BE IT FURTHER ORDAINED, that the Town of Roanoke Code of Ordinances shall be amended in accordance herewith and that two (2) copies of the Code, so amended, are kept on file in the Office of the Clerk-Treasurer for public inspection.

BE IT FINALLY ORDAINED that this ordinance shall be in full force and effect following its adoption, publication, and in accordance with applicable law.