

ORDINANCE NO. 2021-02

**AN ORDINANCE AUTHORIZING AND REGULATING  
THE OPERATION OF GOLF CARTS ON THE ROADWAYS OF THE  
TOWN OF MONROVIA, INDIANA**

**WHEREAS**, certain residents of the Town of Monrovia, Indiana (the "Town") desire to operate golf carts upon the streets and alleys of the Town, and many already do so; and,

**WHEREAS**, the Town Council of the Town of Monrovia (the "Council") serves as the Town's legislative body and the President of the Council serves as the Town's executive, in accordance with I.C. § 36-5-2-2; and,

**WHEREAS**, the Council is vested with the authority to authorize and regulate the operation of golf carts upon the highways and streets within the Town's corporate limits, in accordance with I.C. § 9-21-1-2, I.C. § 9-21-1-3(a)(14), and I.C. § 9-21-1-3.3; and,

**WHEREAS**, there has been an increase in the prevalence of ownership and use of golf carts by citizens in recent years, some citizens have specifically requested that such use be permitted to continue, while some have also requested that certain rules and regulations related to such use be adopted; and,

**WHEREAS**, the Council believes that the use of golf carts should be permitted to continue, but has determined that a need exists for the regulation of such use on the streets and alleys and highways under the jurisdiction of the Town and that an Ordinance should be adopted as authorized under Indiana law.

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF  
THE TOWN OF MONROVIA, INDIANA**, that a new Chapter of the Town of

Monrovia Code of Ordinances is hereby adopted, shall be known as "Chapter 71.5, Operation of Golf Carts", and the full text of such Chapter 71.5 shall read as follows:

**CHAPTER 71.5      OPERATION OF GOLF CARTS**

**Section**

- 71.51 Statement of Purpose and Policy**
- 71.52 Definitions**
- 71.53 Regulation of Equipment**
- 71.54 Rules of Operation**
- 71.55 Permit**
- 71.56 Penalties**
- 71.57 Exemptions**
- 71.58 Implementation**

**§ 71.51 STATEMENT OF PURPOSE AND POLICY**

The purpose of this Ordinance is to promote public order, safety, and personal responsibility with respect to the operation of golf carts on the streets, roadways, alleys, and highways within the Town of Monrovia, Indiana. All provisions shall be liberally construed consistent with this purpose and policy.

**§ 71.52 DEFINITIONS**

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

- (A) "Golf Cart" A four wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and/or golf clubs for the purpose of playing the game of golf on a golf course.
- (B) "Driver's License" A license valid for the operation of a motor vehicle on public roads and highways in the State of Indiana, whether issued by Indiana or another state.
- (C) "Financial Responsibility" Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.
- (D) "Highway or 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 in Indiana. The term

includes an alley in a city or town. This does not include public rights-of-way under the jurisdiction of the State of Indiana and the Indiana Department of Transportation ("INDOT") as well as public rights-of-way outside of the corporate boundaries of the Town.

- (E) "Roadway" That part of a highway improved, designed, or ordinarily used for vehicular traffic under the jurisdiction of the Town of Monrovia.

The terms "Highway", "Street", "Alley", "Road" and "Roadway" shall be used interchangeably for the purposes of this Ordinance and the intent of any such reference shall simply be to a public right-of-way within the boundaries of the Town of Monrovia that is used for vehicular travel by the public.

### **§ 71.53 REGULATION OF EQUIPMENT**

Any golf cart moved, operated, or driven upon a street, alley, highway, or roadway in the Town of Monrovia in accordance with this Chapter and I.C. § 9-21-1-3(a)(14), I.C. § 9-21-1-3.3(a), and I.C. § 9-21-9 shall have the following equipment permanently affixed to the golf cart:

- (A) Rear-view mirror;
- (B) Fully operational brakes;
- (C) A triangular slow-moving vehicle emblem mounted as near as is practicable to the center of mass and at an approximate height of not less than three (3) and not more than five (5) feet from level ground or pavement surface. The emblem shall be mounted so as to be entirely visible from the rear, day, or night. The emblem and the emblem's position of mounting on the vehicle must meet the specifications established by rules adopted by the Indiana criminal justice institute and I.C. 9-21-9.
- (D) If a golf cart is operated between sunset and sunrise, the golf cart must be equipped with two (2) operating headlights and two (2) operating taillights that are visible from a distance of not less than five hundred (500) feet to the rear.

### **§ 71.54 RULES OF OPERATION**

- (A) The operation of a golf cart within the Town of Monrovia is strictly prohibited unless the golf cart is operated and equipped in full compliance with this Chapter.

- (B) **Permitted Roads.** Operation of golf carts is permitted on all Town Roadways with a posted speed limit of thirty-five (35) miles per hour or less.
- (C) **Operator.** Any person who operates a golf cart upon a Roadway within the corporate limits of the Town of Monrovia shall be at least sixteen (16) years of age and shall have a valid driver's license.
- (D) **Financial Responsibility.** Any person who operates a golf cart upon a Roadway within the corporate limits of the Town of Monrovia shall have financial responsibility for said golf cart as defined above and in accordance with this Ordinance and the laws of the State of Indiana.
- (E) **Occupants.** The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator, or any occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated. No one under the age of eight (8) years is allowed to ride on the back seat of the golf cart unless accompanied by an adult.
- (F) **Compliance with Traffic Laws and Ordinances.** All golf carts shall operate cautiously and courteously, and shall comply with all traffic laws and ordinances of the Town and the State of Indiana.
- (G) **Negligence Prohibited.** No person shall operate a Golf Cart in negligent or reckless manner so as to endanger the person or property of another or to cause injury or damage thereto.

#### **§ 71.55 PERMIT**

- (A) **Permit Required.** No person shall operate a golf cart on any Roadway within the Town of Monrovia without a Town of Monrovia Golf Cart Permit ("MGCP"). The MGCP must be with the vehicle whenever it is operated on any Town Roadway.
- (B) **Permit Fee.** A Permit Fee of Fifteen Dollars (\$15.00) is required to be submitted with the application in order for it to be processed and for the issuance of a MGCP.
- (C) **Application for Permit.** An application for a MGCP may be obtained at the Monrovia Town Hall or as otherwise directed. The applicant is required to complete the application and return it as directed by the office of the Clerk Treasurer, along with proof of financial responsibility, and the Permit Fee of Fifteen Dollars (\$15.00).

- (D) **Inspection.** Prior to the issuance of a MGCP, an officer from the Monrovia Police Department or a designee selected by the Clerk Treasurer shall inspect the golf cart to ensure that it complies with all requirements of this Ordinance and laws of the State of Indiana. All requirements on the application form, as found in this Ordinance, must be confirmed during an inspection, prior to the issuance of a MGCP.
- (E) **Renewal.** The MGCP shall be renewed on or before May 1<sup>st</sup> annually, at which time the golf cart shall be subject to inspection and a Permit Fee of Fifteen Dollars (\$15.00) shall be required in order to obtain a new MGCP.
- (F) **Disqualification.** No MCGCP shall be issued to any person who has been convicted of a violation of this Ordinance within the previous twelve (12) months.
- (G) **MCGCP Lost or Stolen.** If a MGCP is lost or stolen, it shall be the responsibility of the permit holder to take all necessary action to report and correct the matter. The Town of Monrovia may, in its discretion, issue a replacement permit if the vehicle owner verifies that they had a permit previously. Applicants who are unable to prove the validity of their MGCP will be required to submit a new application.

#### **§ 71.56 PENALTIES**

- (A) **Penalties.** Any act or omission that results in a failure to comply with or to maintain compliance with any of the requirements herein constitutes an ordinance violation and a Class C infraction, in addition to any other penalty imposed in accordance with Indiana law regulating traffic and use of public roadways.

A person convicted of violating this Ordinance shall be subject to a fine not to exceed Two Hundred Fifty Dollars (\$250.00) per violation. Each day that any of the provisions of this Ordinance is violated constitutes a separate offense and the violator may be fined an additional fine not to exceed \$250.00 per day, plus court costs. All fines and fees shall be payable to the Town of Monrovia.

#### **§ 71.57 EXEMPTIONS**

- (A) Employees, agents, and officials of the government of the Town of Monrovia, while engaged in town government business, are exempt from the application of this Ordinance.
- (B) Parades, Festivals and Special Events. Subject to the discretion of the Monrovia Town Council or the President of the Monrovia Town Council,


granted to official participants in parades, festivals, and other special events.

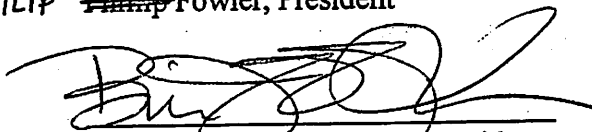
**§ 71.58 IMPLEMENTATION**

- (A) **Conflicts and Severability.** The provisions of this Ordinance are intended to be supplemental to the laws of the State of Indiana, and to the extent that they may conflict with said laws, the laws of the State of Indiana shall control and take precedent over this Ordinance. Should any provision of this Ordinance be found by a court to be invalid, the remainder of the Ordinance shall remain in full force and effect.
  
- (B) **Construction.** All terms of this Ordinance, unless defined or otherwise apparent from the context in which they are used, shall be construed in terms of their plain and ordinary meaning. Masculine terms shall be construed so as to include the feminine and singular terms shall include the plural.
  
- (C) **Repeal and Effective Date.** All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed and this Ordinance shall be effective upon publication as by law required.


SO ADOPTED this 24<sup>th</sup> day of May, 2021.

**MONROVIA TOWN COUNCIL**

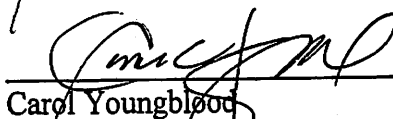
  
PHILIP ~~Philip~~ Fowler, President

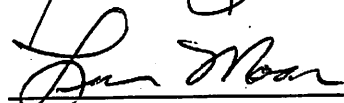
  
Bonne Silsby-Inman, Vice President

ATTEST:

  
Danny Chenault, Clerk-Treasurer

  
Kevin Collier

  
Carol Youngblood

  
Loren Moore



# TOWN OF MONROVIA GOLF CART INSPECTION FORM

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Golf Cart Manufacturer: \_\_\_\_\_ Serial or ID #: \_\_\_\_\_

I have received a copy of Chapter 71.5 of the Town of Monrovia Code of Ordinances, which includes the rules and regulations related to operation and required equipment of a golf cart. I acknowledge that I must comply with the provisions therein at all times and agree to pay any violation fines for failure to maintain compliance, as proscribed in the Ordinance.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Required Equipment / Documentation	YES	Operable	NO
Headlights			
Tail Lights			
Turn Signals			
Rear View Mirror			
Proof of Insurance (agency and policy #)			
Valid Driver's License/ ID Card			
Slow Moving Vehicle (triangle)			

\_\_\_\_\_  
Clerk Treasurer or Designated Agent Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk Treasurer or Designated Agent Signature

OFFICE USE ONLY	
Date: _____	Tag #: _____
Amount Paid: _____	Expires #: _____
Method of Payment (Check One):	Receipt #: _____
<input type="checkbox"/> Money Order	<input type="checkbox"/> Check Check #: _____

Please return form to the Monrovia Town Hall, 140 E. Main St., Monrovia, IN 46157