

ORDINANCE NO. 21-20

AN ORDINANCE AMENDING TITLE 10 OF THE PORTER COUNTY CODE
OF ORDINANCES TO ADD NEW CHAPTER 10.28 "GOLF CARTS, OFF-ROAD, AND
OTHER LIKE VEHICLES"

WHEREAS, the Commissioners of Porter County, Indiana have determined that it is reasonable and necessary to establish a process for use of Golf Carts, Off-Road, and Other Like Vehicles on highways and roads under the jurisdiction of the County; and

WHEREAS, Indiana Code 9-21-1-3.3 allows the County to adopt, by ordinance, traffic regulations concerning the use of Golf Carts, Off-Road, and Other Like Vehicles on highways and roads under the jurisdiction of the County; and

WHEREAS, Indiana Code § 9-21-8-57 provides a golf cart or off-road vehicle may not be operated on a highway except in accordance with an ordinance adopted under Indiana Code §9-21-3(a)(14) and 9-21-1-3.3(a); and

WHEREAS, Indiana Code § 9-21-1-3.3(a) provides that an ordinance relating to the use of golf cart, off-road vehicle and other like vehicles, on a highway may not: (1) conflict with or duplicate another state law; or (2) conflict with a driver's licensing requirement of another provision of Indiana Code.

ITS IS THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF
PORTER COUNTY, INDIANA THAT:

Section 1. The following shall be added to Title 10 Vehicles and Traffic of the Porter County Code of Ordinances as 10.28.

CHAPTER 10.28 GOLF CARTS, OFF-ROAD, AND OTHER LIKE VEHICLES
10.28.010: Definitions:

- A. **LICENSED PERSON.** Any person holding a valid Indiana motor vehicle operator's license, or a comparable license issued by another state.
- B. **GOLF CART-** Any three or four-wheeled motor-powered vehicle:
 - (A) With a maximum design speed of not more than 35 mph;
 - (B) With a maximum weight not to exceed 2,200 pounds; and
 - (C) With the capacity to transport one or more persons from one place to another or for recreational use.
- C. **OFF ROAD-VEHICLE.** Any four-wheeled motorized vehicle having either a side-by-side seating arrangement or straddled seating for which the state does not require registration and plating to utilize in going from one place to another for transportation or recreation. The term includes vehicles commonly referred to as all-terrain vehicles (ATV), side-by-side Vehicles (SxS), utility task vehicles (UTV), recreational off-highway vehicles, (ROV).



10.28.020-EQUIPMENT, DRIVERS LICENSE, AND INSURANCE REQUIREMENTS

- A. In addition to being in good operating condition, the Golf Cart, Off-Road, or other like vehicle must have the following:
 - a. a windshield,
 - b. seatbelts for use by the operator and all passengers,
 - c. an operating horn,
 - d. headlights, taillights, turn signals and brake lights visible from a distance of at least 500 feet,
 - e. rearview mirror.
 - f. a roof mounted amber or yellow flashing light, or a slow-moving triangle sign fixed on rear of the vehicle.
- B. The Operator of a Low Speed or Off-Road Vehicle shall maintain insurance on the operation of the vehicle in the minimum amounts specified in I.C. 9-25-4-5.
- C. The Golf Cart, Off-Road, or other like Vehicle shall only be operated on roads, within the jurisdiction of Porter County, by licensed drivers.

10.28.030- REGULATIONS:

- A. The utilization of Golf Carts, Off-Road Vehicles, or other like vehicles in and on the highways or roadways of the County (including highways in the state highway system) is prohibited where the posted speed limit is above thirty-five (35 mph) miles per hour.
- B. The utilization of Golf Carts, Off-Road Vehicles, or other like vehicles is prohibited on the following county roads regardless of posted speed limit:
 - 1. Division Road, Tower Road, Smoke Road, 700 North, 625 West, Calumet Road, Meridian Road, Joliet Road, 100 South, and Sedley Road.
- C. No Golf Cart, Off-Road Vehicles, or other like vehicle may be operated on a state highway or a road under the jurisdiction of the county with a speed limit more than 35 miles per hour, other than to cross the state highway or county road with a speed limit more than 35 miles per hour, at a 90 degree angle (right angle) in order to travel from one County roadway to another County roadway and only when the operation can be done safely.
- D. Any permitted use shall still be subject to all state statutes and relevant County ordinances applicable to the operation of motor vehicles, including speed limits and parking restrictions.
- E. The number of passengers permitted on any Golf Cart, Off-Road Vehicles, or other like vehicle may not exceed the number of passengers recommended by the Vehicle's manufacturer.
- F. Golf Carts shall only be operated between **March 15** and **October 31**. Golf Carts shall only be operated between **sunrise** and **sunset**.
- G. Golf Carts may not operate, regardless of date, when there is one inch or

more of snow accumulation.

10.28.040 Enforcement:

- A. The Porter County Sheriff's Department is authorized to enforce the terms and provisions of this Ordinance.

10.28.050 Penalties:

- A. The first violation of this section shall subject the owner and/or operator of the golf cart to a fine of \$100.00.
- B. A second violation of this section shall subject the owner and/or operator of the golf cart to a fine of \$150.00.
- C. A third violation of this section shall subject the owner and/or operator of the golf cart to a fine of \$200.00 and revocation of their operating permit for a term of one year from the date of the third violation.


Section 2 Conflicting Ordinances. Any ordinance or provision of any ordinance of Porter County, Indiana, in conflict with the provisions of this Ordinance is hereby repealed.

Section 3. Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS, PORTER COUNTY, INDIANA ON THIS 12th DAY OF October, 2021.



Jeffrey Good



Laura Blaney



Jim Biggs

Attest:



Vicki Urbanik, Auditor