

ORDINANCE NO. 2020-13

AN ORDINANCE AMENDING CHAPTER 70 OF THE TOWN OF EDINBURGH'S CODE REGARDING OPERATING GOLF CARTS WITHIN THE TOWN OF EDINBURGH

WHEREAS, Indiana Code 36-1-3-9, gives the legislative body of the Town of Edinburgh ("Town") the power to adopt an ordinance which regulates its streets, alleys, sidewalks, watercourses, sewers, drains, and public grounds inside its corporate boundaries.

NOW, THEREFORE, BE IT ORDAINED BY THE EDINBURGH TOWN COUNCIL, AS FOLLOWS:

I. SECTION 1. PRIOR ORDINANCE

- a. That the Edinburgh Town Council ("Council") adopted Ordinance 2009-6 on the 14th day of December, 2009 ("2009 Ordinance") which provided the regulations of golf carts to be used on the roadways of the Town of Edinburgh which said provisions were contained in Chapter 70 of the Edinburgh Town Code ("Code").

II. SECTION 2. AMENDMENTS TO CODE

- a. That the Council hereby amends Section 70.12 of the Code as follows:
 - i. Section (B) is hereby deleted and replaced with the following:
 - 1. *"In order to operate a golf cart on any street, alley or road within the town limits, the driver of such a golf cart must have a valid driver's license and be at least 16 years of age. Drivers are subject to the same motor vehicle operational requirements as if operating a vehicle. All limitations and requirements to the driver's license of a driver of such golf cart shall apply when operating the same."*
 - ii. Section (F) is hereby deleted and replaced with the following:
 - 1. *"While in operation, such golf cart must carry no more passengers than they were designated to carry, and all passengers must be seated and wearing a seat belt at all times. Any occupant that requires a car seat in a motor vehicle should also be placed in a car seat on a golf cart. Golf carts must yield to faster moving automobiles that are traveling in the same direction of said golf carts."*
 - iii. The following provision shall be added to Section (H):

1. *"Anyone who purchases a golf cart that has an existing registration with the Town of Edinburgh must re-register the golf cart into the new owner's name within seven (7) days of such purchase."*

III. SECTION 4. PUBLIC BENEFIT

- a. That the Edinburgh Town Council finds that this Ordinance will be in the best interest of the Town and for the benefit of the public and residence of the Town.

IV. SECTION 5. REPEALER

- a. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

V. SECTION 6. SEVERABILITY

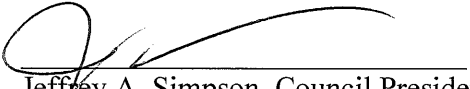
- a. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

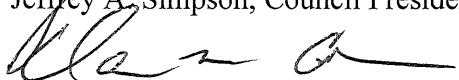
VI. SECTION 7. EFFECTIVE DATE

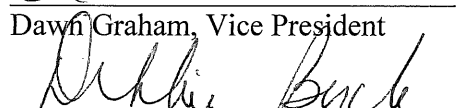
- a. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

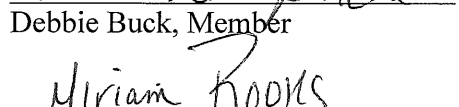
ADOPTED this 13th day of July, 2020.

EDINBURGH TOWN COUNCIL


Jeffrey A. Simpson, Council President

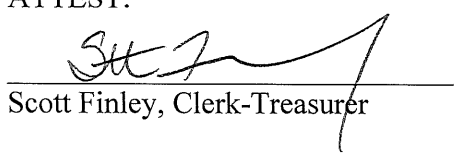

Dawn Graham, Vice President


Debbie Buck, Member


Miriam Rooks, Member


Ryan Piercefield, Member

ATTEST:


Scott Finley, Clerk-Treasurer