

ORDINANCE 25-30

2025 GOLF CART ORDINANCE

WHEREAS, the City of Westfield, Indiana ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council");

WHEREAS, pursuant to Ind. Code § 9-21-1-3.3, the City may adopt by ordinance traffic regulations concerning the use of golf carts on a highway (as defined by Ind. Code § 9-13-2-73) under the jurisdiction of the City;

WHEREAS, the Council has the responsibility and the duty to respond to requests from the citizens of the City who have requested the ability to operate golf carts within the City limits; and

WHEREAS, to address the possible public safety concerns and desires of the citizens of the City, the Council finds that an amendment of sections of the City of Westfield, Indiana Code of Ordinances (incorporating prior City Ordinances 10-23, 11-16, and 18-50) concerning the use of golf carts is necessary.

NOW, THEREFORE BE IT ORDAINED BY THE WESTFIELD COMMON COUNCIL THAT:

RECITALS

Section 1.

The foregoing recitals are fully incorporated herein by reference.

APPLICATION

Section 2.

This Ordinance shall apply to the operation of golf carts on City roadways, City multi-use paths, and authorized City named trails within the corporate limits of the City of Westfield. Only operation pursuant to the conditions contained herein, Ind. Code § 9-21-1-3.3, and other applicable laws shall be permitted.

DEFINITION AND SPECIFICATIONS

Section 3.

"Golf cart" shall be defined as a four (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.

This definition does not include all-terrain vehicles (ATVs), low-speed vehicles (LSVs) (as defined in Ind. Code § 9-13-2-94.5), utility vehicles, or any other motorized vehicle, as determined by applicable law or generally accepted definitions.

The Westfield Police Department shall have discretion to determine whether a motor vehicle is considered a "golf cart" for purposes of this Ordinance.

Section 4.

Golf carts shall be equipped with adequate and functioning headlights, rearview mirrors, taillights, brake lights, and turn signals. A golf cart may only accommodate as many passengers as originally designed.

No child less than eight (8) years of age is permitted to ride on a golf cart unless they are safely secured in the golf cart, with an appropriate safety device, when the golf cart is in motion. A golf cart operator shall ensure that all passengers under eight (8) years of age are safely secured in the golf cart when it is in motion.

Section 5.

All golf carts to be operated on City roadways, City multi-use paths, and authorized City named trails must be inspected by the Westfield Police Department for compliance with this Ordinance before such operation.

The Westfield Chief of Police is authorized to create and administer inspection procedures, permit issuance, permit renewals, enforcement protocols, forms, and use of technology required to implement this Ordinance and to ensure compliance. The Westfield Chief of Police is specifically authorized to develop policies and procedures necessary to maximize the safety of people and property, including the implementation of visible golf cart registration stickers or decals that shall meet minimum size and location requirements determined by the Chief of Police.

Section 6.

The initial inspection of a golf cart will remain valid until December 31st of the second calendar year following the year in which the inspection is conducted (up to two (2) years). Golf carts that pass the initial inspection and are accompanied by proof of sufficient insurance pursuant to this Ordinance are eligible for a permit, consistent with

this Ordinance. Golf cart owners shall display a permit/decal, issued by the Westfield Police Department. The cost of the initial permit is \$100 dollars, and all permits have a set expiration date of December 31st of the second calendar year following the year in which the inspection is conducted, which date shall be prominently noted on each permit/decal.

A subsequent two-year permit for the permitted golf cart can be acquired by a golf cart owner by paying a \$50 dollar registration fee and passing a subsequent inspection by the Westfield Police Department, including the provision of proof of sufficient insurance. If, at any time, an owner purchases a new golf cart, an initial inspection shall occur prior to the issuance of a permit and operation, consistent with this Ordinance.

Registration and permit fees collected shall be deposited in a Westfield Police Department fund and shall be used to offset costs associated with golf cart inspection procedures, permit creation and issuance, permit renewals, enforcement protocols, and golf cart and equipment acquisitions.

Section 7.

Only golf carts described, equipped, insured, and displaying a valid permit, as described herein, shall be allowed to operate within the Westfield City limits on City roadways, City multi-use paths, and authorized City named trails.

OPERATION

Section 8.

Operators of golf carts within the corporate City limits and consistent with the requirements of this Ordinance must possess a valid driver's license, in accordance with Ind. Code § 9-24-1-7(b). Should Ind. Code § 9-24-1-7(b) be revised or amended, this Ordinance shall automatically incorporate such additional revisions or amendments.

Section 9.

All privately owned golf carts operated on City roadways, City multi-use paths, and authorized City named trails must be insured by liability insurance in an amount not less than the minimum required by applicable law for automobiles, including but not limited to Ind. Code § 9-25-2-3. A valid certificate of insurance shall remain in effect, always be carried by a golf cart owner or operator, and must be produced by the owner or operator of a golf cart at the time of an initial, and any subsequent, inspection and when requested by a Westfield Police Officer.

Section 10.

Operators of golf carts within the corporate City limits shall obey all Indiana traffic laws, yield the right of way to all pedestrians and bicycles, and are only permitted to operate upon City roadways and perimeter paths at a speed limit of 25 MPH or less and upon authorized named trails at a speed limit of 15 MPH or less.

Crossing roadways with speed limits more than 25 MPH is permitted only when directly crossing to reach a roadway with a speed limit of 25 MPH or less, or to reach a City multi-use path, or authorized City named trail. Such crossings must be at right angles only.

Golf carts may also be operated on City asphalt multi-use perimeter paths and authorized City named trails included in Exhibit "A", attached hereto and incorporated herein.

Golf carts may not be operated on any concrete sidewalk, non-authorized City named trail, multi-use trails less than five (5) feet in width, or any Westfield City Park not included in Exhibit "A", attached hereto and incorporated herein. Golf carts may be operated in City parking lots as depicted in Exhibit "A".

Section 11.

The Department of Public Works is hereby authorized to place all necessary signage for regulation and access requirements for City roadways, City multi-use paths or authorized City named trails.

EXCLUSIONS

Section 12.

This Ordinance shall not apply to golf cart operation on public or private golf courses, construction sites, retail golf cart outlets, or upon private property.

This Ordinance shall not apply to City owned or leased golf carts, or other motorized vehicles when used for official business including enforcement, maintenance work, and special events.

This Ordinance shall not apply to Grand Park Sports & Entertainment, LLC owned or leased golf carts, or other motorized vehicles when used for official business, maintenance work, and special events, while being operated on or around the Grand Park properties.

Section 13.

Golf carts may not be operated on public roadways, City multi-use paths, or authorized City named trails during inclement weather such as rain, fog, or when there is an accumulation of ice or snow on the ground.

ENFORCEMENT AND PENALTIES

Section 14.

Any operator of a golf cart in violation of this Ordinance may be issued a citation to appear in City court or a court of competent jurisdiction.

Any violation of any of the conditions imposed by this Ordinance shall be punishable by a fine not to exceed \$100 for a first offense, \$150 for a second offense, and \$300 for a third or subsequent offense, as well as all fees associated with the enforcement of this Ordinance.

Upon a third offense or violation of this Ordinance, including a violation of Section 15 herein, the Westfield Police Department shall have the right to revoke an issued permit, for a period of one (1) year from the date of revocation.

The City shall provide the following procedures for revocation of a permit:

- All revocations shall be in writing, shall state the effective date of the revocation and the reason for the same, and shall be served by U.S. certified mail or personal service at the address contained in the permit application.
- Not later than twenty (20) days from the date on which the revocation notice is served, the permit holder may deliver a written request for a hearing to the Clerk Treasurer's office within such time period.
- If a timely appeal is not made, the permit revocation is final.
- If a timely appeal is made, the Board of Public Works and Safety shall hear the appeal during a public meeting which shall begin no more than thirty (30) days from the date of the receipt of the appeal by the Clerk Treasurer's office. The permit holder shall be notified of the date, time, and location of the hearing at least ten (10) days prior to the hearing.
- At the hearing, the permit holder, as well as City staff, may appear and may present evidence in support of or in opposition to the revocation of the permit.
- A person may not communicate with any member of the Board of Public Works and Safety before the hearing with an intent to influence the member's action regarding the permit revocation. However, the City staff may file with the Board of Public Works and Safety a written statement setting forth any facts or opinions relating to the matter.

- The Board of Public Works and Safety shall issue written findings of fact on the appeal and revocation no more than ten (10) days from the ending date of the hearing, which decision shall be final.

A fine assessed for a violation of this Ordinance shall be deposited into the City's general fund pursuant to Ind. Code § 9-21-1-3.3.

PERMITTING A VIOLATION

Section 15.

A parent, adult, or guardian may not authorize or knowingly allow a golf cart owned by the person or under the person's control to be operated by a person who does not have a legal right to do so in violation of Section 8 of this Ordinance. A person who violates this and allows an Ordinance violation to occur, commits an ordinance violation which shall be punishable by a fine not to exceed \$100 for a first offense, \$150 for a second offense, and \$300 for a third or subsequent offense, as well as all fees associated with enforcement of this Ordinance, and may be issued a citation to appear in City Court or a court of competent jurisdiction.

IMPOUNDMENT

Section 16.

In addition to other penalties established herein, golf carts operating in violation of Section 15 of this Ordinance shall be subject to removal and impoundment in accordance with this Ordinance, as well as any fees incurred by the golf cart towing and storage.

Any officer of the Westfield Police Department may cause the subject golf cart to be removed and impounded due to a violation of Section 15 of this Ordinance by an authorized towing service. When the owner or operator of a golf cart appears personally at the site of the Ordinance violation, before the golf cart has been towed, the golf cart shall not be towed, nor shall any towing fee be charged. However, when the owner of the golf cart arrives at the site of the Ordinance violation when the golf cart is already in the process of being towed, the authorized towing service shall give the owner either oral or written notification that the owner or operator may pay a fee in the amount that is not greater than half of the amount of the fee the authorized towing service would normally charge for the immediate release of a golf cart. For purposes of this section, a golf cart is in the process of being towed when it is on the tow truck or trailer of the towing vehicle.

Section 17.

This Ordinance shall be in full force and effect on November 1st, 2025, after passage by the Council and approval by the Mayor, publication in accordance with law, and upon the passage of any applicable waiting period (if any), all in accordance with applicable Indiana law.

All ordinances or parts thereof in conflict herewith are hereby repealed. Should any part of this Ordinance be found in conflict with Title 9 (Motor Vehicles) of the Indiana Code, the terms of Title 9 (Motor Vehicles) of the Indiana Code, as may be amended or revised from time to time, shall prevail.

Should any parts of this Ordinance be found unconstitutional or illegal, the remaining parts shall survive and be in full effect. Any portion of this Ordinance later deemed invalid, or void shall not operate as to invalidate the remaining portions.

All acts undertaken to create this Ordinance are hereby ratified.

PASSED THIS 28th DAY OF July, 2025 BY THE WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD COMMON COUNCIL

Voting For

Voting Against

Abstain


Kurt J Wanninger

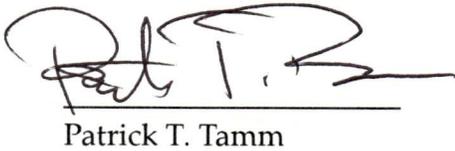
Kurt J Wanninger

Kurt J Wanninger

Chad Huff

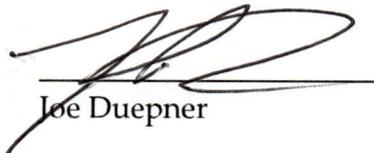

Chad Huff

Chad Huff


Patrick T. Tamm

Patrick T. Tamm

Patrick T. Tamm


Joe Duepner

Joe Duepner

Joe Duepner

Jon Dartt

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Noah Herron

Jon Dartt

Noah Herron

Jon Dartt

Noah Herron

Victor McCarty

[Handwritten Signature]

Victor McCarty

Victor McCarty

ATTEST:

[Handwritten Signature]

Marla Ailor, Clerk-Treasurer

I hereby certify that ORDINANCE 25-30 was delivered to the Mayor of Westfield on the 28th day of JULY, 2025, at 10:30 Pm.

[Handwritten Signature]

Marla Ailor, Clerk-Treasurer

I hereby APPROVE ORDINANCE 25-30

this 28th day of JULY, 2025.

[Handwritten Signature]

Scott A. Willis, Mayor

I hereby VETO ORDINANCE 25-30

this _____ day of _____, 2025.

Scott A. Willis, Mayor



Prepared by Karlin Glazier and Kurt Wanninger

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

[Handwritten Signature]

Signed