

## **Pendleton Police Department**

550 North Pendleton Ave Pendleton, In 46064 (765) 778-3933\* Fax (765) 778-3696

#### REGISTRATION OF NON-TRADITIONAL VEHICLE

# **VEHICLE OWNER:** LAST NAME: FIRST NAME: M: DOB: \_\_\_\_ADDRESS: \_\_\_\_ PHONE NUMBER: TYPE OF VEHICLE: ATV: GOLF CART: **VEHICLE:** YEAR: MAKE: MODEL: COLOR: VIN#: **INSURANCE INFORMATION:** COMPANY NAME: \_\_\_\_\_ POLICY#: \_\_\_\_ PHONE#: EXPIRATION: STATE THAT ALL INFORMATINOIN GIVEN IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_. SIGNATURE:

VEHICLE REGISTRATION #:

#### **Town of Pendleton**

### **Golf Cart and Non-Traditional Vehicle Inspection Sheet**

#### Ordinance # 20-11 and #20-12

Before registration of Non-Traditional Vehicles or Golf Carts, the Pendleton Police Department shall inspect all vehicles to ensure they meet the equipment requirements set by the Town Council through Local Ordinance.

Last	Name:	First Name:	<del></del>	M:	
Year of Vehicle:		Make of Vehicle:	Model of	Vehicle:	
Color of Vehicle:		VIN#			
Registration #:		Expires:			
<u>Manda</u>	atory Equipment: <b>G</b>	OLF CART			
1)	2 Lighted headlight	s (On at <b>all times</b> while operating	g)Pass	Fail	
2)		I times while operating)			
3)					
	Adequate Brakes		Pass	Fail	
5)	5) <u>SUGGESTED</u> additional equipment: Mirrors, Windshield, seatbelts, and slow movin				
-,	emblem.				
<u>Manda</u>	atory Equipment: C	FF-ROAD VEHIC	LES as def	ined by I.C. 14-8-2-18	
1)	Brakes pursuant to	I.C. 14-16-1-21(b)	Pass	Fail	
2)		ght pursuant to I.C. 14-16-1-21(a			
•		t pursuant to I.C. 14-16-1-21(a)			
Inspec	ting Officer signatur	e	Dat	e	



ORDINANCE NO. \_\_10-11

AN ORDINANCE OF THE TOWN OF PENDLETON,
MADISON COUNTY, INDIANA,
AMENDING PRIOR ORDINANCES REGARDING THE USE AND
REGULATION OF GOLF CARTS AND OTHER NON-TRADITONAL
VEHICLES IN THE TOWN OF PENDLETON
AND ESTABLISHING NEW REGULATIONS
FOR THE OPERATION OF OFF ROAD VEHICLES
AS DEFINED BY I.C. 14-8-2-185

WHEREAS, the Town of Pendleton ("Town" or "Pendleton") have passed prior ordinances regulating the use of golf carts and non-traditional vehicles in the Town of Pendleton; and,

WHEREAS, the Town now desires to repeal in part and amend in part those prior ordinances and pass separate ordinances for the use of golf carts and non-traditional vehicles, also referred to as off-road vehicles, in the Town of Pendleton; and,

WHEREAS, I.C. 9-21-1-3 and I.C. 9-21-1-3.3 allows Towns to adopt ordinances regulating the use of golf carts, off-road vehicles, or both on highways under the Town's jurisdiction; and,

WHEREAS, I.C. 14-16-1-22 permits counties, cities, and towns to pass ordinances regulating the operation of off-road vehicles provided that such ordinances meet substantially the minimum requirements of I.C. 14-16-1.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Pendleton Town Council that:

- PRIOR ORDINANCES REPEALED: Sections 70.50, 70.51 70.52, 70.53, and 70.54, 70.55, and 70.56 of the Town of Pendleton Code of Ordinances, Ordinance No. 2010-04, and Ordinance No. 2014-04 are hereby repealed in their entirety and replaced as follows.
- 2. <u>DEFINITIONS</u>: All definitions contained herein shall have the same meaning as set forth in I.C. 14-16-1 except as indicated herein.

- a. "Alcoholic Beverage": The term "alcoholic beverage" as defined in I.C. 14-16-1-1.5 "has the meaning set forth in IC 7.1-1-3-5."
- b. "Operate": The term "operate" as defined in I.C. 14-16-1-4 means "to (1) ride in or on; and (2) be in actual physical control of the operation of; a vehicle."
- c. "Operator": The term "operator" as defined in I.C. 14-16-1-5 means "an individual who: (1) operates; or (2) is in actual physical control of; an off-road vehicle or a snowmobile."
- d. "Owner": The term "owner" as defined in I.C. 14-16-1-6 means "a person, other than a lienholder, who: (1) has the property in or title to: and (2) is entitled to the use or possession of: an off-road vehicle or a snowmobile."
- e. "Vehicle": The term "vehicle" as defined in I.C. 14-16-1-7 means "an off-road vehicle or a snowmobile."
  - i. Off Road Vehicle is more precisely defined in IC 14-8-2-185;
  - ii. For purposes of this ordinance and all related ordinances that have not been repealed, the term "vehicle" includes and may be used interchangeably with "non-traditional vehicle."

#### 3. REGISTRATION:

- a. All Vehicles must be registered pursuant to I.C. 9-18.1-14-1.
- b. In addition, any owner of a Vehicle desiring to operate the same on Town streets must annually register the Vehicle with the Pendleton Police Department ("PPD or "Police Department").
  - i. The Pendleton Police Department is charged with the responsibility for inspecting and registering Vehicles. The Police Department shall also maintain records of the registration for Vehicles.
  - Before registration of a Vehicle, the Police Department shall inspect a Vehicle to ensure it meets the requirements as set forth in this Ordinance.
  - iii. A Vehicle registration is valid for the calendar year in which the Vehicle is registered.
  - iv. If the Vehicle is registered before July 1<sup>st</sup> of each calendar year, the registration shall be \$50.00, thereafter the fee shall be \$25.00.
  - v. Upon registration of the Vehicle, the owner of said Vehicle shall receive a registration sticker that must be displayed at all times during

operation on the Town Streets in a visible location on the rear of said Vehicle. If a registration sticker is not available at the time of registration, the owner will receive written proof of registration to be carried during the operation of said Vehicle on the Town streets until the registration sticker is issued.

- vi. All fees from the registrations of Vehicles shall be deposited in the Pendleton Law Enforcement Continuing Education (LECE) fund.
- 4. <u>INSURANCE</u>: The owner of any registered Vehicle shall maintain insurance on said Vehicle and provide proof of the same upon request by the Pendleton Police Department.
- 5. AGE REQUIREMENT: Pursuant to L.C. 14-16-1-20(b), an individual less than fourteen (14) years of age may not operate a vehicle without immediate supervision of an individual at least eighteen (18) years of age, except on land owned or under the control of the individual or the individual's parent or legal guardian.
- 6. <u>LICENSE REQUIREMENT</u>: The operation of a Vehicle on a public highway in Indiana without a valid motor vehicle driver's license is prohibited by I.C. 14-16-1-20(c).
- 7. <u>LIGHTS</u>: Pursuant to I.C. 14-16-1-21(a) A vehicle may not be operated between sunset and sunrise unless the Vehicle has at least one (1) headlight and one (1) taillight.
- 8. <u>BRAKES</u>: Pursuant to I.C. 14-16-1-21(b), a Vehicle may not be operated at any time unless the vehicle has adequate brakes capable of producing deceleration at fourteen (14) feet a second on level ground at a speed of twenty (20) miles per hour.

#### 9. HELMETS:

- a. Pursuant to I.C. 14-16-1-33, a person who is: (1) the owner of an off-road vehicle; (2) in possession of an off-road vehicle; or (3) entitled to the possession of an off-road vehicle, whether by reason of legal title, lease, license, rental arrangement, lease with option to purchase, contract of conditional sale, or otherwise; may not knowingly authorize or permit an individual less then eighteen (18) years of age to operate the off-road vehicle in violation of I.C. 9-18.1-14-11.
- b. Pursuant to I.C. 9-18.1-14-11, an individual less than eighteen (18) years of age who is operating or riding on an off-road vehicle shall wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979. (b) An individual who violates this section commits a Class C infraction.

#### 10. DESIGNATED ROADS:

- a. Vehicles shall not be operated on State Street, except when necessary to cross State Street at an intersection of a Town street and State Street, or when the point of origin or destination requires traveling on State Street to the nearest Town alley or Town street intersection. This pertains to the segment of State street from the railroad overpass on the East and Fall Creek on the West.
- b. In addition to the above prohibition, the Pendleton Town Council may prohibit the use of Vehicles on other roads, street, highways that are under the jurisdiction of the Town of Pendleton if the operation of Vehicles poses a danger. This Ordinance shall be amended from time to time to include those roads deemed unsuitable for their use.
- 11. SIDEWALKS: Vehicles shall not be operated on sidewalks.
- 12. **STATE HIGHWAYS**: Vehicles may not be operated on state highways except as provided herein or pursuant to I.C. 14-16-1-20(a).

#### 13. RESTRICTIONS and EXCEPTIONS:

- a. Pursuant to I.C. 14-16-1-23(a), an individual shall not operate a vehicle under any of the following conditions:
  - i. At a rate of speed greater than is reasonable and proper having due regard for existing conditions or in a manner that unnecessarily endangers the person or property of another.
  - ii. While:
    - 1. under the influence of an alcoholic beverage; or
    - 2. unlawfully under the influence of a narcotic or other habit forming or dangerous depressant or stimulant drug.
  - iii. During the hours from thirty (30) minutes after sunset to thirty (30) minutes before sunrise without displaying a lighted headlight and a lighted taillight.
  - iv. In a forest nursery, a planting area, or public land posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.
  - v. On the frozen surface of public waters within:
    - one hundred (100) feet of an individual not in or upon a vehicle; or
    - 2. one hundred (100) feet of a fishing shanty or shelter; except at a speed of not more than five (5) miles per hour.

Ord. 20-11

- vi. 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.
- vii. Within one hundred (100) feet of a dwelling between midnight and 6:00 a.m., except one the individual's own property or property under the individual's control or as an invited guest.
- viii. On any property without the consent of the landowner or tenant.
- ix. While transporting on or in the vehicle a firearm, unless the firearm is:
  - 1. unloaded; and
  - 2. securely encased or equipped with and made inoperative by a manufactured key locked trigger housing mechanism.
- x. On or across a cemetery or burial ground.
- xi. Within one hundred (100) feet of a slide, ski, or skating area, except for the purpose of servicing the area.
- xii. On a railroad track or railroad right-of-way, except railroad personnel in the performance of duties.
- xiii. In or upon a flowing river, stream, or creek, except for the purpose of crossing by the shortest possible route, unless the river, stream, or creek is of sufficient water depth to permit movement by flotation of the vehicle at all times.
- xiv. An individual shall not operate a vehicle while a bow is present in or on the vehicle if the nock of an arrow is in position on the string of the bow.
- b. The exceptions, as contained in I.C. 14-16-1-23(b), apply herein.

#### 14. EXCLUSIONS:

- a. This Ordinance shall not apply to any Vehicles owned by the Town and used by the Town for official Town business.
- b. This Ordinance shall not apply to Vehicles being operated in a parade or other function sanctioned and authorized by the Town.

#### 15. VIOLATIONS/PENALTIES:

- a. Any person who violates this Ordinance shall be fined in accordance with the following schedule:
  - i. First Offense = \$100.00
  - ii. Second Offense = \$250.00

- iii. Third and Subsequent Offenses = \$500.00.
- b. Monies collected for a violation of this Ordinance shall be deposited into the Town's general fund pursuant to Indiana Code 9-21-1-3.3
- 16. <u>CONFLICT WITH STATE LAW</u>: No provision of this Ordinance is intended to conflict with or supersede state law.
- 17. <u>SEVERABILITY/VALIDITY</u>: If any provision of this Ordinance shall be held to be invalid or unenforceable, that determination shall not affect the remaining provisions of this Ordinance and such remaining provisions shall be considered valid.
- 18. **EFFECTIVE DATE:** This Ordinance shall become effective upon the adoption and signature of the Pendleton Town Council, the posting of signs giving notice, and publication as required by law.

[Signature Page Follows]

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Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this 13th

day of August, 2020.	
TOWN OF PENDLETON, INDIANA,	BY ITS TOWN COUNCIL
Voting Affirmative:	Voting Opposed:
Chet W. Babb	
Chet Babb, President	Chet Babb, President
Slem De	
Shane Davis, Vice President	Shane Davis, Vice President
kbit lano	
Robert Jones	Robert Jones
136	
dessica Smith	Jessica Smith
MOS	
Steve Denny	Steve Denny
ATRICK!	
Willie Boles	
Clerk-Treasurer	
Prepared By: Jeffrey K. Graham #26380-29 GRAHAM HOPPER FARRER & WILSON, PC	

Publish once each week for two (2) consecutive weeks in The Herald Bulletin and The Pendleton Times

(765) 221-9273 or (765) 552-9878

Attorneys at Law 200 E. State Street Pendleton, IN 46064



#### ORDINANCE NO. \_20-12\_

# AN ORDINANCE OF THE TOWN OF PENDLETON, MADISON COUNTY, INDIANA, AMENDING PRIOR ORDINANCES REGARDING THE USE AND REGULATION OF GOLF CARTS AND OTHER NON-TRADITIONAL VEHICLES IN THE TOWN OF PENDLETON AND ESTABLISHING NEW REGULATIONS FOR THE OPERATION OF GOLF CARTS

WHEREAS, the Town of Pendleton ("Town" or "Pendleton") have passed prior ordinances regulating the use of golf carts and non-traditional vehicles in the Town of Pendleton; and,

WHEREAS, the Town now desires to repeal in part and amend in part those prior ordinances and pass separate ordinances for the use of golf carts and non-traditional vehicles, also referred to as off-road vehicles, in the Town of Pendleton; and,

WHEREAS, I.C. 9-21-1 provides regulations for the use of golf carts; and,

WHEREAS, I.C. 9-21-1-3(a)(14) allows a local authority to regulate or prohibit the operation of low speed vehicles, golf carts, or off-road vehicles on highways under the local authority's jurisdiction; and,

WHEREAS, I.C. 9-21-1-3.3 specifically authorizes a town, if it chooses, to adopt an ordinance providing traffic regulations concerning the use of golf carts on a highway under the town's jurisdiction as long as certain statutory requirements as contained in I.C. 9-21-1-3.3 are met.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Pendleton Town Council, that:

 PRIOR ORDINANCES REPEALED: Sections 70.50, 70.51 70.52, 70.53, and 70.54, 70.55, and 70.56 of the Town of Pendleton Code of Ordinances, Ordinance No. 2010-04, and Ordinance No. 2014-04 are hereby repealed in their entirety and replaced as follows. 2. <u>DEFINITIONS</u>: For purposes of this Ordinance, the term "golf cart" as defined in I.C. 9-13-2-69.7 means "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."

#### 3. REGISTRATION:

- a. Any owner of a Golf Cart desiring to operate the same on Town streets must annually register the Golf Cart with the Pendleton Police Department ("PPD or "Police Department").
- b. The Pendleton Police Department is charged with the responsibility for inspecting and registering Golf Carts. The Police Department shall also maintain records of the registration for Golf Carts.
- c. Before registration of a Golf Cart, the Police Department shall inspect a Golf Cart to ensure it meets the requirements as set forth in this Ordinance.
- d. A Golf Cart registration is valid for the calendar year in which the Golf Cart is registered.
- e. If the Golf Cart is registered before July 1<sup>st</sup> of each calendar year, the registration shall be \$50.00, thereafter the fee shall be \$25.00.
- f. Upon registration of the Golf Cart, the owner of said Golf Cart shall receive a registration sticker that must be displayed at all times during operation on the Town Streets in a visible location on the rear of said Golf Cart. If a registration sticker is not available at the time of registration, the owner will receive written proof of registration to be carried during the operation of said Golf Cart on the Town streets until the registration sticker is issued.
- g. All fees from the registrations of Golf Carts shall be deposited in the Pendleton Police Donation fund.
- 4. <u>INSURANCE</u>: The owner of any registered Golf Cart shall maintain insurance on said Golf Cart and provide proof of the same upon request by the Pendleton Police Department.
- 5. <u>LICENSE REQUIREMENT</u>: Pursuant to I.C. 9-24-1-7(b), an operator of a golf cart must have a valid driver's license.
- 6. <u>DESIGNATED ROADS</u>: The Pendleton Town Council may prohibit the use of Golf Carts on roads, street, highways that are under the jurisdiction of the Town of Pendleton if the operation of Golf Carts poses a danger. This Ordinance shall be amended from time to time to include those roads deemed unsuitable for their use.

- 7. <u>RULES AND REGULATIONS</u>: The operator of a Golf Cart shall adhere to and follow all traffic rules and regulations as set forth in the Indiana Code, and, in addition thereto, the following:
  - a. The operator of the golf cart shall drive the golf cart as close to the curb/edge of the street/road when possible and must yield to other vehicles on the road;
  - b. Golf carts shall not be operated on sidewalks;
  - c. Golf carts must have seat belts for each passenger, and each passenger in or on the golf cart shall have said seatbelts securely fastened around them;
  - d. Golf carts must have lighted headlights and lighted taillights on at all times, and a golf cart cannot be operated in Pendleton unless there are at least (2) lighted headlights and two (2) lighted taillights;
  - e. Golf carts must have turn signals;
  - f. Golf carts must have adequate brakes;
  - g. Golf carts must not exceed the number of passengers and/or maximum weight limit as suggested by the manufacturer;
  - h. The maximum speed by which golf carts shall be operated is the posted speed limit.

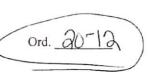
#### 8. EXCLUSIONS:

- a. This Ordinance shall not apply to any Golf Carts owned by the Town and used by the Town for official Town business.
- b. This Ordinance shall not apply to Golf Carts being operated in a parade or other function sanctioned and authorized by the Town.

#### 9. VIOLATIONS/PENALTIES:

- a. Any person who violates this Ordinance shall be fined in accordance with the following schedule:
  - i. First Offense = \$100.00
  - ii. Second Offense = \$250.00
  - iii. Third and Subsequent Offenses = \$500.00.
- b. Monies collected for a violation of this Ordinance shall be deposited into the Town's general fund pursuant to Indiana Code 9-21-1-3.3
- 10. <u>CONFLICT WITH STATE LAW</u>: No provision of this Ordinance is intended to conflict with or supersede state law.
- 11. <u>SEVERABILITY/VALIDITY</u>: If any provision of this Ordinance shall be held to be invalid or unenforceable, that determination shall not affect the remaining provisions of this Ordinance and such remaining provisions shall be considered valid.
- 12. **EFFECTIVE DATE:** This Ordinance shall become effective upon the adoption and signature of the Pendleton Town Council and the posting of signs and publication as required by law.

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Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this \_/3

#### TOWN OF PENDLETON, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:	Voting Opposed:	
Clut W. Babb		
Chet Babb, President	Chet Babb, President	
Illu Fe	1 2 1 1 1 1 1 1 1 1 1 1	
Shane Davis, Vice President	Shane Davis, Vice President	
Robert Janes	Robert Jones	
Robert Jones	Robert Jones	
Jan De		
Jessica Smith	Jessica Smith	
H 04		
Steve Denny	Steve Denny	

Clerk-Treasurer

Prepared By:

Jeffrey K. Graham #26380-29 GRAHAM, HOPPER, FARRER & WILSON, PC Attorneys at Law 200 E. State Street Pendleton, IN 46064 (765) 221-9273 or (765) 552-9878

Publish once each week for two (2) consecutive weeks in *The Herald Bulletin and The Pendleton Times* 

#### **ORDINANCE NO. 2013-05**

# AN ORDINANCE OF THE TOWN OF PENDLETON MADISON COUNTY, INDIANA, AMENDING THE ORDINANCE GOVERNING PARKING AND THE USE OF GOLF CARTS AND OTHER NON-TRADITIONAL VEHICLES IN FALLS PARK

- A. The Town Council of the Town of Pendleton ("Council" and "Town," respectively) adopted Title IX, Chapter 94 of the Pendleton Code of Ordinances ("Code") thereby establishing ordinances regulating activity in Falls Park.
- B. The Parks and Recreation Board informed the Council that golf carts and other non-traditional vehicles are being operated and parked in areas of the park that create a danger to other visitors, damage park property, or both.
- C. The Council now finds it necessary to amend those ordinances to address the parking and use of golf carts and other non-traditional vehicles in Falls Park.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council as follows:

- SECTION 1. Title IX, Chapter 94, Section 94.18 shall be amended and restated as follows:
- (A)(1) All parking of vehicles of any kind is banned on all of Falls Park Drive. "No Parking" signs are erected in the area and have also been painted on Falls Park Drive itself.
- (A)(2) Golf carts and other non-traditional vehicles (NTVs), as defined by Section 70.50 of the Code, may only be operated or parked on streets and lots that are paved and graveled for use of other motorized vehicles in Falls Park or in areas specifically designated for golf cart and NTV use or parking. All parking regulations apply to golf carts and NTVs.
- (B) The Pendleton Police Department is given the authority to tow vehicles, including golf carts and NTVs, parked in violation of this Section and asses fines as established by the Town Council.
- <u>SECTION 2</u>. Any Section or Subsection of the Code that is not specifically amended or restated herein remains in full force and effect.
- <u>SECTION 3</u>. If any provision in this Ordinance is declared invalid, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 4. Any ordinances or provisions thereof that are inconsistent with this Ordinance are hereby superseded.

Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this day of AULUST 2013.

THE TOWN COUNCIL OF THE TOWN OF PENDLETON, INDIANA

Donald E. Henderson, President

Robert Jones Vice President

Jeanette Isbell

Chet W. Babb

Chet Babb

John Armington

ATTEST:

Timothy J. Ryan, Clerk-Treasurer of the Town of Pendleton, Indiana

# Pendleton Sports Complex Golf Cart Pathway to all Diamonds while games are being played.

- 1.No Golf Carts are allowed on the center walk ways or concession stand areas.
- 2. Diamonds 2, 3, & 5: Carts will use the park trail ways behind each of the diamonds.
- 3. Diamonds 1, 4, & 7: Carts will use the 1" entry way along the back road. Signage is displayed as well.
- 4. Diamond 6 & 8: Carts will use the 2<sup>rd</sup> entry way along the back road. Signage is displayed as well.
- 5. If assistance is needed, there are PJB Staff members on-site for all game days. Each member will be wearing a gray shirt with the word STAFF on the back. They will be happy to assist you with your questions.

Thank you for doing your part in keeping our sports complex safe for the players, coaches, and fans.

If any cart is driving within the center walkways they will be asked to turn around and use the correct pathways to the diamond.

