

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE HAMILTON TOWN CODE, REPEALING PRIOR
ORDINANCE 2006-05, AND PROVIDING FOR THE REGISTRATION AND
REGULATION OF GOLF CARTS WITHIN THE TOWN OF HAMILTON**

RECITALS

1. The Hamilton Town Council has by Ordinance 2006-05, adopted on the 5th day of June, 2006, provided for the registration and regulation of golf carts within the Town of Hamilton for the reason that there is a lack of state regulation on golf cart traffic and for the reason that it is becoming commonplace for citizens to operate golf carts in the Town.
2. Indiana Code 9-21-9, *et seq.*, provides for, among other things, certain statutory regulations regarding slow moving vehicles.
3. That the necessity continues to exist for the implementation of traffic flow regulation with respect to golf carts and golf cart traffic on and through the streets and alley of the Town.
4. Unregulated operation of golf carts and golf cart traffic upon streets and alleys in the Town may present a traffic hazard and safety issue and is in need of regulation.

NOW, THEREFORE, BE IT ORDAINED by the Hamilton Town Council as follows:

Golf Carts

- A. For purposes of this ordinance, golf carts, which also may be referred to and are intended to include golf cars, are defined as a self propelled vehicle originally designed for or similar to a vehicle originally designed for driving on a golf course and which vehicle is intended to be driven for limited distances at relatively slow speeds and which have factory equipped steering wheels and factory equipped mufflers.
- B. Only persons with a valid operator's license issued by the State of Indiana or by the state of residence of the operator of the golf cart may operate a golf cart upon the streets and alleys in the Town.
- C.
 1. All golf carts to be operated on the public streets and alleys shall be registered with the Town of Hamilton and the owner thereof shall pay an annual registration fee. The registration forms are available in the Office of the Clerk-Treasurer and the registration fee shall be paid to the Town through the Office of the Clerk-Treasurer. At the time of registration, the owner shall present proof of insurance insuring not only the golf cart from property damage but also carrying property damage and personal liability coverage for injury or damage to property of others and of personal injury to other persons with a minimum combined single limit of \$100,000.00. Prior to the issuance of the registration by the Clerk-Treasurer, the golf cart shall be inspected by the office of the Clerk-Treasurer (or its designee) to ensure compliance with the terms of this ordinance. All provisions of this ordinance apply to owner operated golf carts as well as those leased or rented from a vendor.
 2. The registration fee shall be as follows:

- a. Twenty-five Dollars (\$25.00) for annual registration.
- 3. The town shall issue a sticker/placard for each golf cart properly registered which must be affixed to the driver's side windshield or on the hood immediately below the driver's side windshield.
- 4. A golf cart lawfully registered in another city or town will be deemed registered in the Town of Hamilton, provided, however, that the other city or town has an ordinance requiring the same equipment and requiring liability insurance identical to the Town of Hamilton.
- D. All golf carts being operated pursuant to the terms of this ordinance shall obey all of the rules of the road and traffic regulations of the State of Indiana and the Town of Hamilton and shall also display an orange flag or pennant attached to a pole so that the flag or pennant is at least seven (7) feet above the surface of the street.
- E. All golf carts shall comply with the provisions of Indiana Code 9-21-9 (Slow Moving Vehicles) in effect at the time of the adoption of this ordinance and as amended from time to time. All golf carts being operated after dusk shall be equipped with head lights, tail lights and turn signals.
- F. No golf cart shall be operated in inclement weather, such as fog, ice, snow, rain or other weather conditions, when such weather conditions make it unsafe for the driver, passengers or other vehicles or pedestrians.
- G. No golf carts shall be operated upon any sidewalk within the Town of Hamilton.
- H. Golf carts shall be equipped with rear view mirrors and factory seating and occupancy shall not exceed that to be accommodated by factory seating. No person under the age of three (3) years shall be allowed to ride on a golf cart and all persons under the age of ten (10) years must ride in the front seat. The driver and all passengers in the golf cart must be seated while the cart is in motion.
- I. The Town Council may exempt from the provisions of this ordinance the use of golf carts by a public safety personnel.
- J. A violation of the provisions of this ordinance shall be punishable by a fine in a sum not to exceed One Hundred Dollars (\$100.00). Each day a violation of this ordinance is permitted or suffered to continue shall constitute a separate and distinct offense. If two (2) or more violations occur within the same calendar year, the registration shall be suspended for the balance of the calendar year.

Indiana, at their regular meeting on the ____ day of _____, 2026.

Mary Vail, Town Council President

Tom Werling, Council Member

James Meert, Council Member

Nancy Renner, Council Member

Gerry Martin, Council Member

ATTEST:

Jenna Steigerwald, Clerk-Treasurer

Presented to the President of the Town Council of the Town of Hamilton this ____ day
of _____, 2026, at _____ o'clock A.M./P.M.

Jenna Steigerwald, Clerk-Treasurer

Approved by me this ____ day of _____, 2026, at _____ o'clock
A.M./P.M.

President of Town Council, Hamilton, IN

By: _____
Mary Vail

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. - J. D. Brinkerhoff . This instrument prepared by **J. D. Brinkerhoff**, Attorney at Law, BRINKERHOFF & BRINKERHOFF, PC, 101 N. Randolph Street , P. O. Box 269, Garrett, IN 46738. Attorney No. 27753-17. Telephone: (260) 357-5111

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