

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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Statutory reference:

Authority to adopt traffic regulations, see I.C. 9-21-1-2

§ 70.01 DEFINITIONS.

The words and phrases set forth in I.C. 9-13-2-1, *et seq.*, shall govern in the interpretation of this Title.

(`99 Code, § 8-1)

§ 70.02 ENFORCEMENT.

The Town Marshal and deputies shall be responsible for the enforcement of all local traffic regulations.

(`99 Code, § 8-2)

Statutory reference:

Local enforcement, see I.C. 9-21-1-5

§ 70.03 AUTHORITY FOR SIGNS; TAMPERING.

(A) Traffic at locations and areas determined by him or her to be special traffic conditions or hazards, the Town Marshal with the approval of the Town Council, may from time to time erect stop, one way traffic, do not enter, danger, slow, yield, hill, and other such traffic regulatory signs.

(B) It shall be unlawful for any unauthorized person to remove, deface, tamper with, break, destroy, or impair the usefulness of any public signs within the town.
(`99 Code, § 8-64) (Ord. 438, passed 6-3-74) Penalty, see § 70.99

§ 70.04 COST OF CAR PLATES.

The cost of town car plates shall be the sum of \$10.
(Ord. 675, passed 12-17-01; Am. Ord. 728, passed 12-29-08)

§ 70.05 MOTOR VEHICLE IMPOUND FEE.

The town hereby establishes a fee of \$25 to be collected from the owner of any motor vehicle impounded by the Police Department. The fee shall be collected by the Police Department prior to release of the motor vehicle. All fees received pursuant to this section shall be deposited into the LECE Fund, with the intent that said funds be utilized for Police Department equipment and/or training.
(Ord. 703, passed 7-10-06; Am. Ord. 728, passed 12-29-08)

§ 70.99 PENALTY.

Unless otherwise provided, any person, firm, or corporation who parks, drives, operates, or controls any vehicle within the town in any manner prohibited by the terms of this Title, or contrary to, or in violation of any section, part or provision of this Title, shall be subject to a minimum fine of \$50, if paid to the Clerk-Treasurer within one to five days following the date of violation; thereafter the fine shall be \$100 for up to 30 days following the violation. Failure to pay the violation or fine within 30 days will result in legal action being taken by the Town Attorney with a maximum fine of up to \$2,500.
(`99 Code, § 8-67) (Ord. 655, passed 12-6-99; Am. Ord. 728, passed 12-29-08; Am. Ord. 778, passed 4-1-13)

CHAPTER 71: TRAFFIC RULES

Section

- 71.01 One-way streets
- 71.02 Speed limits
- 71.03 Stop intersections
- 71.04 Yield intersections
- 71.05 Crosswalks
- 71.06 Weight and load limits
- 71.07 Weight restrictions during certain periods
- 71.08 Vehicle weight restrictions

- 71.99 Penalty

Cross-reference:

Vehicle and bicycle restrictions in parks, beaches and recreation areas, see § 94.18

§ 71.01 ONE-WAY STREETS.

(A) The Town Marshal may designate certain streets to be one way only with the approval of the Town Council and after the erection and display of any sign so indicating that such street is one-way. No vehicle shall be driven except in conformity thereto.

(`99 Code, § 8-25)

(B) In order to promote the public safety, certain streets within the town limits are designated as one-way streets and appropriate signage or signs may be erected to control the streets.

(`99 Code, § 8-26) (Ord. 438, passed 6-3-74; Am. Ord. 557, passed 5-7-90) Penalty, see § 71.99

Statutory reference:

One-way designations, see I.C. 9-21-4-14

Cross-reference:

One-way streets specified, see Chapter 73, Schedule I

§ 71.02 SPEED LIMITS.

(A) No person shall drive a vehicle within the town at a speed greater than is reasonable and prudent under the then existing conditions having due regard to the actual and potential hazards. In every event, speed shall be so restricted as may be necessary to avoid colliding with any person or vehicle or other conveyance.

(B) The Town Marshal may, from time to time, erect speed limit signs setting forth a maximum speed at locations and areas which present special traffic conditions or hazards with the approval of the Town Council.

(C) Except when a special hazard exists that requires lower speed for compliance with divisions (A) or (B) of this section, a speed limit of 25 miles per hour shall be the maximum lawful speed within the town.

(`99 Code, § 8-35) (Ord. 438, passed 6-3-74) Penalty, see § 71.99

Cross-reference:

Speed limits designated for specific streets, see Chapter 73, Schedule II

§ 71.03 STOP INTERSECTIONS.

(A) In order to promote the public safety in the town, certain street intersections and “T” intersections within the town limits are designated “stop” intersections and authorizing appropriate signage or signs erected to control the intersections.

(`99 Code, § 8-45)

(B) The Town Council has been given the power to make such designations by the State of Indiana and to assess penalties for violation thereof under Title 36 of the Indiana Code, and Title 9 of the Indiana Code.

(`99 Code, § 8-46) (Ord. 561, passed 10-1-90)

Cross-reference:

Stop intersections designated, see Chapter 73, Schedule III

§ 71.04 YIELD INTERSECTIONS.

(A) In order to promote the public safety, certain street intersections within the town limits are designated “yield” streets and appropriate signage or signs erected to control the intersections.

(`99 Code, § 8-48)

(B) The Town Council has been given the power to make such designations by the State of Indiana and to assess penalties for violation thereof, under I.C. 36-9-2-7, *et seq.*, and I.C. 9-21-1-1 *et seq.*

(`99 Code, § 8-49) (Ord. 550, passed 3-5-90)

Cross-reference:

Yield intersections designated, see Chapter 73, Schedule IV

§ 71.05 CROSSWALKS.

A crosswalk shall be installed by being so marked as a crosswalk at the Sand Tracks. Pedestrians using the crosswalk will have the right-of-way and vehicles must yield to pedestrians and the crosswalk

shall be governed by all applicable state statutes and regulations including I.C. § 9-21-17-7, 9-21-17-11 and 9-21-16-5.

(`99 Code, § 8-60) (Ord. 593, passed 5-24-93)

§ 71.06 WEIGHT AND LOAD LIMITS.

(A) It shall be unlawful for any person, firm, or, corporation to operate, any type of construction machinery or other type of heavy equipment or machinery on any public street or road within the corporate limits of the town without proper lugs or mats so as to prevent any damage or injury to the surface of the public road or street.

(B) Any person, firm, or corporation violating any of the terms of this section shall reimburse the town for any damages sustained by reason of such violation. This section shall not be construed to limit the remedies of the town for violations of the terms of this section, but shall be construed to supplement any existing remedies available to the town.

(`99 Code, § 8-61) (Ord. 363, passed 12-2-63) Penalty, see § 71.99

§ 71.07 WEIGHT RESTRICTIONS DURING CERTAIN PERIODS.

(A) At all times during a period of days (not to exceed 90 days in one calendar year) that shall be those days as designated by the Street Commissioner when, in the opinion and judgment of the Street Commissioner, it becomes necessary, by reason of deterioration, rain, snow or other climatic conditions to prohibit the operation of vehicles or impose restrictions as to the weight of vehicles to be operated on streets and highways within the town, it shall be unlawful for any person to drive, operate, cause to be operated or be in physical control, upon any public road, street or highway within the town limits, excepting therefrom any highways in the state highway system and state-maintained routes thereof, any motor vehicle or combination of vehicles having a combined total gross weight, including load, in excess of 24,000 pounds, unless a written permit therefrom shall have first been obtained from the Street Commissioner.

(B) Any permit issued by the Street Commissioner, as referred to in division (A) of this section, shall specify and direct in writing the streets and highways of the town that may be utilized by the permittee.

(C) The limitation of gross weight of vehicles operating on the streets and highways, as referred to in division (A) of this section, shall be effective upon the Street Commissioner erecting signs designating such gross weight limitations at each end of that portion of any road, street or highway affected thereby, and at intersecting roads, streets or highways. Such limitations of gross weight of vehicles shall cease upon removal of such signs by the Street Commissioner.

(Ord. 733, passed 2-23-09) Penalty, see § 71.99

§ 71.08 VEHICLE WEIGHT RESTRICTIONS.

(A) No person shall operate any vehicle having a gross vehicle weight in excess of 12,000 pounds on any highways, roadways, or streets located north of the Northern Indiana Commuter Transportation District (NICTD) South Shore Line railroad right-of-way within the limits of the town.

(B) The restrictions contained herein shall also apply to any vehicles making local deliveries. For the purposes of this provision, vehicles making local deliveries shall be defined as vehicles delivering or picking up goods at locations which are situated on or immediately adjacent to the identified highways, roadways, and streets.

(C) Permits for local delivery may be obtained at Town Hall, Monday through Friday during normal business hours. Permits may be issued on either a daily basis or for the calendar year with approval of the Street Superintendent or Town Marshal.

(D) The Street Superintendent is authorized and directed to erect signs specifying the restrictions set forth herein.

(E) Nothing herein shall apply to any authorized emergency vehicle (e.g.: fire engine, ambulance, rescue vehicle) as defined in the Indiana Motor Vehicle Code.
(Ord. 761, passed 12-12-11) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided shall be subject to the provisions of § 70.99.

(B) The Town Council has been given the power to make such designations by the State of Indiana to assess penalties for violations thereof under I.C. 9-21-1-1 *et seq.* Any person operating a vehicle in a direction other than indicated by § 71.01 or by Chapter 73, Schedule I, shall be deemed to be in violation of that section and, upon conviction, shall be fined in the amount of not less than \$1 nor more than \$25 provided that in lieu of such person being charged in court for the penalty, such person in violation thereof may pay the sum of \$25 within five days of the violation to the Clerk-Treasurer.
(`99 Code, § 8-28)

(C) Any person driving a vehicle in violation of § 71.02 or Chapter 73, Schedule II, shall be fined in an amount not less than \$1 nor more than \$25.
(`99 Code, § 8-38)

(D) Any person violating the provisions of §§ 71.03, 71.04, or Chapter 73 Schedules III or IV shall be guilty of an infraction and upon conviction shall be fined not less than \$1 nor more than \$100, or in

the alternative, may within five days of the arrest, pay into the Clerk-Treasurer's office the sum of \$25 cash, taking receipt thereof.

(`99 Code, § 8-51)

(E) Any person, firm or corporation convicted of violating any of the terms of § 71.06 shall be subject to a minimum fine of \$25 if paid to the Clerk-Treasurer within five days of the violation, and thereafter, shall be subject to a fine of \$100 for such violation. Each and every day that such violation is committed or permitted to continue shall constitute a separate and distinct offense.

(F) Any violation of § 71.07 shall be subject to a fine of up to \$2,500 per occurrence, with each day being a separate occurrence.

(`99 Code, § 8-61) (Ord. 550, passed 3-5-90; Am. Ord. 557, passed 5-7-90; Am. Ord. 655, passed 12-6-99; Am. Ord. 733, passed 2-23-09)

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CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Parking prohibited
- 72.02 Parking permit and fees
- 72.03 Impoundment of illegally parked vehicle
- 72.04 Parking restrictions on recreational vehicles

Statutory reference:

Stopping, standing and parking regulations, see I.C. 9-21-16-5

§ 72.01 PARKING PROHIBITED.

(A) In order to prevent and minimize accidents, to insure the orderly movement of traffic, and to prevent congestion, it is made unlawful for any person to park a motor vehicle at any time upon the traveled portion of the streets within the corporate limits of the town. The provisions of this section shall not apply as to state highways within the town.

(`99 Code, § 8-7)

(B) (1) The Town Marshal with the approval of the Town Council may from time to time designate certain locations and areas public parking zones or likewise may designate certain locations and areas “no parking zones.”

(2) It shall be a violation of this section to park any vehicle in an area marked “no parking.”

(3) No motor vehicles shall be parked within 15 feet of any fire or water hydrant.

(4) No vehicle shall be parked or permitted to remain standing on any public street or right-of-way in the town for any length of time whatever, unless it is equipped with and displays properly issued license plates.

(5) No motor vehicle shall be parked so as to obstruct any private driveway, easement, alley or crosswalk.

(6) If special traffic conditions or hazards exist, the Town Marshal may designate any area a “no parking” area for no longer than a 72-hour period provided some public notice or sign is erected to indicate such.

(`99 Code, § 8-6)

(C) No person shall park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer and, except as permitted by § 72.02, in any of the following places:

- (1) In front of a public or private driveway;
- (2) Upon the paved portion of any street;
- (3) Within 15 feet of a fire hydrant;
- (4) At any place where official signs prohibit parking; and

(5) Within 15 feet of the paved portion of any street designated as a restricted parking area. (1999 Code, § 8-8) (Ord. 387, passed 1-9-67; Am. Ord. 438, passed 6-3-74; Am. Ord. 552, passed 4-2-90) Penalty, see § 70.99

§ 72.02 PARKING PERMIT AND FEES.

Notwithstanding § 72.01, persons shall be allowed to park a vehicle adjacent to and within 15 feet of the paved portion of a street designed as a restricted parking area if a valid parking permit sticker is displayed on the lower left corner of the front windshield of the vehicle. The parking permit sticker shall be issued as follows:

(A) The parking permit shall be available for purchase from the office of the Clerk-Treasurer upon payment of the sum of \$90 each year for bona fide residents of the town, and \$300 each for nonresidents. Additionally, beach decals can be purchased for \$35 each (one decal per vehicle) with proof of membership in the Ogden Dunes Homeowners Association and vehicle registration.

(B) Each permit so issued shall be valid only for the year in which it is issued, which year shall be permanently written upon the face of the sticker.

(C) Application for purchase of the parking permit shall be made upon completion of forms available from the Clerk-Treasurer for such purpose and presentation of a current vehicle registration certificate of the vehicle to be affixed.

(D) Parking permits so issued shall thereafter be valid only for the vehicle for which it was purchased; provided that one permanent transfer to a different vehicle per year will be allowed free of charge by completion of a new application form. Second and subsequent transfers shall be allowed upon payment of a \$5 transfer fee.

(E) A "resident's parking permit" shall be available to an individual free of charge by the Clerk-Treasurer upon proof submitted by the Town Marshal that the individual is a bona fide resident of property abutting a restrictive parking area and that insufficient space exists on his or her private

property to park his or her vehicle or vehicles. The individual shall be issued a sufficient number of resident's parking permits to allow all of his or her vehicles to be parking on or abutting his or her private property; provided, that not more than three resident's parking permits shall be issued to the resident of any one parcel of real estate. A resident's parking permit issued pursuant to this division shall authorize parking only adjacent to the property on which the applicant resides, the address of which shall be clearly written upon the face of the permit.

(F) Any individual who is a bona fide resident of the property abutting a restricted parking area and receives temporary guests who do not have valid parking permits may request from the Police Department approval for parking by his or her guests in the restricted parking areas. Such approval shall be given only if insufficient parking space exists on the individual's private property and shall be for such specific time requested and only for areas adjacent to the individual's private property. The approval given pursuant to this division shall be evidenced by a document that shall be displayed on the dashboard of the guest's vehicle so as to be seen from the outside of the vehicle. Approval shall not be given to any one resident for more than five guest vehicles at any one time.

(`99 Code, § 8-9) (Ord. 634, passed 1-7-97; Am. Ord. 688, passed 4-5-04; Am. Ord. 700, passed 3-6-06; Am. Ord. 728, passed 12-29-08; Am. Ord. 742, passed 5-3-10; Am. Ord. 778, passed 4-1-13)

§ 72.03 IMPOUNDMENT OF ILLEGALLY PARKED VEHICLE.

Any vehicle parked in violation of this chapter, unless otherwise provided, is declared to constitute a nuisance. Such nuisance shall be abated by the removal and impoundment of such vehicle by the Police Department. The vehicle shall be released to the owner thereof upon payment of storage and towing costs, if any, and such other fines, penalties, or costs as may be imposed by the law.

(`99 Code, § 8-11) (Ord. 480, passed 4-6-81; Am. Ord. 544, passed 4-3-89; Am. Ord. 552, passed 4-2-90)

§ 72.04 PARKING RESTRICTIONS ON RECREATIONAL VEHICLES.

(A) Parking of recreational vehicles, boats, RV's, mobile homes and trailers within the town shall be limited to temporary parking and not permanent or semi-permanent storage unless they are garaged or housed.

(B) As used in this section, *TEMPORARY* shall be defined as not more than a total of 30 days within a calendar year. Each day in excess of 30 days shall be considered a separate offense.

(`99 Code, § 8-63) (Ord. 655, passed 12-6-99) Penalty, see § 70.99

CHAPTER 73: TRAFFIC SCHEDULES

Schedule

- I. One-way streets
- II. Speed limits
- III. Stop intersections
- IV. Yield intersections

SCHEDULE I. ONE-WAY STREETS.

The Marshal has recommended the designation of one-way streets to the Council based upon public safety considerations and the Town Council approves the recommendations and designates the following streets as one-way streets with all vehicles traveling thereon shall be moved only in the direction stated as follows.

<i>Street</i>	<i>Location</i>	<i>Direction</i>
Beach Lane	From Hillcrest Road to North-South portion of Beach Lane	East bound
Locust Road	From Sunset Trail to Diana Road	North bound
Lupine Lane	From Woodland Trail to Hillcrest Road	East bound
Ski Hill Road	From 44 Ski Hill Road to 4 Ski Hill Road	East bound commencing at 44 Ski Hill Road, proceeding northerly, and finally northwesterly at 4 Ski Hill Road

(`99 Code, § 8-27) Penalty, see § 71.99

SCHEDULE II. SPEED LIMITS.

No person shall drive a vehicle at a speed greater than indicated on the streets listed below.

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>
All roads lying north of the Penn Central Railroad Tracks		25 m.p.h.
Hillcrest Road	Between U.S. Hwy 12 and the north intersection of Diana Road and Hillcrest	20 m.p.h.

(`99 Code, §§ 8-36, 8-37) (Ord. 519, passed 10-7-85) Penalty, see § 71.99

SCHEDULE III. STOP INTERSECTIONS.

The Marshal has recommended and the Town Council approves the following intersections as stop intersections and all vehicles are required to stop at one or more entrances to such locations.

<i>Stop On</i>	<i>Stop At</i>
Cedar Trail	Shore Drive
Diana Road, south end	Hillcrest Road
Diana Road	Shore Drive
East Hill Road	Ogden Road
East Hill Road	Shore Drive
East Hill Road	Turret Road
Hillcrest	Highway 12
Hillcrest Road, north end	Diana Road
Indian Camp Trail	Diana Road
The Ledge	Cedar Trail
Locust Road	Diana Road
Ogden Court	Ogden Road
Ogden Road	East Hill Road
Ogden Road	Hillcrest
Ogden Road	Ogden Court
Ogden Road	Skyline
Ski Hill	Diana Road
Skyline	Ogden Road
Sunset Trail	Hillcrest Road
Tamarack	Shore Drive
Turret Road	East Hill Road, east and west bound
Valerie	Diana Road

(`99 Code, § 8-47) (Ord. 743, passed 7-6-10) Penalty, see § 71.99

SCHEDULE IV. YIELD INTERSECTIONS.

The Marshal has recommended the placement of yield signs to the Town Council based upon public safety considerations and the Town Council approves the recommendations and designates the following intersections as yield intersections and all vehicles are required to yield at one or more entrances to such locations.

<i>Street that Yields</i>	<i>Yields At</i>
Aspen	Ogden Road
Aspen Road	Skyline Drive
Beach Lane Court	Beach Lane
Beach Lane	Shore Drive
Bittersweet Lane	Aspen
Bittersweet Lane	Ogden Road
Boat Club Road	Hillcrest Road
Cedar Court	Cedar Trail
Cedar Trail	Shore Drive
Chestnut	Chrismar
Chrismar	Valerie
Deer Trail	Diana Road (east and west ends)
Diana Court	Diana Road
Linden Lane	Sunset Trail
Linden Lane	Woodland Trail
Locust Place	Diana Road
Locust Road	Diana Road
Lupine Lane	Hillcrest Road
Ogden	Cedar Trail
Ogden Court	Cedar Trail
Ski Hill Place	Ski Hill Road
Ski Hill Road	Woodland (north end)

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<i>Street that Yields</i>	<i>Yields At</i>
Summit Road	Diana Road
Sunset Trail	Diana Road
Sycamore	Chrismar
Tamarack	Diana Road
The Ledge	Hillcrest Road
Turret Road	Ogden Road
Woodland Trail	by Ski Hill Road
Woodland Trail	Sunset Trail

(^99 Code, § 8-50) (Ord. 550, passed 3-5-90; Am. Ord. 561, passed 10-1-90; Am. Ord. 764, passed 6-4-12) Penalty, see § 71.99

CHAPTER 74: PARKING SCHEDULES

Section

- I. Seasonal parking restrictions
- II. Parking prohibited
- III. Handicapped parking
- IV. Permitted parking

SCHEDULE I. SEASONAL PARKING RESTRICTIONS.

The following streets or portions thereof as indicated are designated as restricted parking areas from May 1 through September 30 of each year, both dates inclusive:

<i>Street</i>	<i>Location</i>
Beach Lane	All
Cedar Trail	From Shore Drive to Ogden Court
Diana Road	From Sunset Trail to Shore Drive
East Hill Road	From Turret Road to Shore Drive
Hillcrest Road	First two lots on the south side beginning from the Diana Road-Hillcrest intersection
Locust Place	From Diana Road south to the end
Ogden Road	From Ogden Court east to the end
Shore Drive	All
Tamarack Road	All
Turret Road	All

(`99 Code, § 8-10) (Ord. 552, passed 4-2-90; Am. Ord. 750, passed 4-4-11; Am. Ord. 788, passed 12-27-13) Penalty, see § 70.99

SCHEDULE II. PARKING PROHIBITED.

No person shall park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer in any of the following places. Expressly excluded and excepted from the no parking area is the south 105 feet from the existing fire hydrant to the existing Northern Indiana Public Service Company (NIPSCO) pole No. 959 and on the west side 603 of Hillcrest only from the existing parking area (as exempted herein) to approximately 105 feet north to the existing handicap parking.

<i>Street</i>	<i>Side</i>	<i>Location</i>
Hillcrest Road	East	From Ogden Road to Diana Road; except on Hillcrest at 77 Hillcrest Road, 79 Hillcrest Road and 81 Hillcrest Road where residential parking only will be permitted
Hillcrest Road	West	From Lupine Lane to Diana Road

(`99 Code, § 8-14) (Ord. 626, passed 4-1-96) Penalty, see § 70.99

SCHEDULE III. HANDICAPPED PARKING.

(A) Any person who parks a motor vehicle which does not have displayed a placard of a person with a physical disability or a disabled veteran, issued under the laws of the State of Indiana or another state, or a registration plate of a person with a physical disability or a disabled veteran, issued under the laws of the State of Indiana or another state, in a parking space reserved for a vehicle of a person with a physical disability commits a town code violation.

(B) Any person who knowingly parks in a parking space reserved for a person with a physical disability while displaying a placard to which neither the person nor the person’s passenger is entitled commits a town code violation.

(C) Any person who displays for use in parking in a parking space reserved for a person with a physical disability a placard or a special license plate that was not issued under the laws of the State of Indiana or another state commits a town code violation.

(D) A person who, in a parking space reserved for a person with a physical disability, parks a vehicle that displays a placard or special registration plate entitling a person to park in a parking space reserved for a person with a physical disability commits a town code violation if that person is not, at that time, in the process of transporting a person with a physical disability or disabled veteran.

(E) In addition to other properly marked spaces, handicapped parking shall be reserved at the following designated locations:

<i>Spaces</i>	<i>Location</i>
2	Shore Drive and Tamarack Road on the southwest corner of the intersection at Short Drive in front of 149 Shore Drive
1	North side of Town Hall on Hillcrest Road
1	West side of Town Hall on Hillcrest Road
2	Studio 5 Building at 72 Hillcrest Road
1	North side Shore Drive at East Hill Road in front of 18 Shore Drive
1	North side Shore Drive east of Cedar Trail in front of 54 Shore Drive
1	South side Shore Drive west of Diana Road at approximately 115 Shore Drive
1	South side Shore Drive far west end at approximately 157 Shore Drive
1	Firehouse at 111 Hillcrest Road at east end of parking lot

(^99 Code, § 8-15) (Ord. 593, passed 5-24-93; Am. Ord. 750, passed 4-4-11; Am. Ord. 765, passed 6-4-12; Am. Ord. 801, passed 9-2-14)

SCHEDULE IV. PERMITTED PARKING.

The following streets or portions thereof or land areas as indicated are hereby designated as parking areas.

<i>Street</i>	<i>Location</i>
Hillcrest	East side on the Sand Tracks
Old Hillcrest Road	Both sides

(`99 Code, § 8-16) (Ord. 593, passed 5-24-93)

CHAPTER 75: GOLF CARTS

Section

- 75.01 General prohibition
- 75.02 Annual registration required
- 75.03 Valid motor vehicle operator's license required
- 75.04 Liability insurance coverage required
- 75.05 Required equipment
- 75.06 Obedience to traffic and parking regulations
- 75.07 Safe operation
- 75.08 Admission of liability
- 75.09 Violations

§ 75.01 GENERAL PROHIBITION.

Except as hereinafter otherwise provided, the operation of vehicles originally designed for operation on a golf course, whether powered by battery, fuel engine or otherwise, and commonly referred to as "golf carts", upon town roads, streets and thoroughfares, is and shall be prohibited, except insofar as such golf carts are registered, equipped and operated in full compliance with this chapter.
(Ord. 727, passed 3-2-09)

§ 75.02 ANNUAL REGISTRATION REQUIRED.

The owners or lessees of golf carts must register each golf cart annually with the town on or before May 1, and an annual registration fee, set in accordance with the Town Fee Schedule, paid to the Clerk-Treasurer's Office, after inspection by the Police Department verifying the golf cart is insured and equipped as required by §§ 75.04 and 75.05, respectively, of this chapter, may issue a certificate of registration ("permit"), which shall be prominently attached to and displayed on the upper left rear of the golf cart. Funds generated from the sale of golf cart permits shall be designated for the Police Department's equipment and training funds.
(Ord. 727, passed 3-2-09)

§ 75.03 VALID MOTOR VEHICLE OPERATOR'S LICENSE REQUIRED.

Only persons possessing a valid, state-issued motor vehicle operator's license may operate golf carts within the corporate limits of the town.
(Ord. 727, passed 3-2-09)

§ 75.04 LIABILITY INSURANCE COVERAGE REQUIRED.

(A) The financial responsibility of the owner, lessee or operator notwithstanding, the golf cart must be covered by liability insurance coverage in an amount no less than that provided by Indiana statutes for motor vehicles operated on state public highways.

(B) Proof of such liability coverage must be available on the cart or carried by the operator at all times the golf cart is operated on the roads, streets or thoroughfares of the town.
(Ord. 727, passed 3-2-09)

§ 75.05 REQUIRED EQUIPMENT.

(A) All golf carts must be equipped with:

- (1) An exterior or interior rearview mirror;
- (2) Reflex reflectors or tape on the front, rear and sides;
- (3) Brakes; and
- (4) A safety belt at each designated seating position.

(B) Golf carts operated at night (after sunset and before sunrise) or at any other time when, due to insufficient light or unfavorable atmospheric conditions (e.g., fog, rain, and the like), shall be equipped with headlamps and tail lamps visible from a distance of 500 feet.

(C) If it is not equipped with required lighting, the golf cart can only operate during daylight hours in accordance with times established by I.C. 9-21-7-2, and the driver of a golf cart shall use officially recognized hand signals to indicate a turn and braking, unless stop lamps and turn signal lamps are installed.

(Ord. 727, passed 3-2-09)

§ 75.06 OBEDIENCE TO TRAFFIC AND PARKING REGULATIONS.

(A) Golf carts are to be operated under same rules/laws as a motor vehicle as established by the Indiana code or town codes.

(1) Golf carts may not be parked in any location that a motor vehicle would be prohibited from parking under Indiana state law or town codes, and are subject to impound.

(2) In addition, golf carts may not be operated or parked on sidewalks, beach access-way paths, town-owned walking paths, beach areas, town parks (except in dedicated parking lots).

(B) This chapter permits the operation of golf carts only upon town-owned and -controlled roads, streets and thoroughfares, and prohibits operation south of the northernmost set of railroad tracks north of US Highway 12 (Norfolk Southern Railroad), and upon, along side of, or across US Highway 12. (Ord. 727, passed 3-2-09)

§ 75.07 SAFE OPERATION.

(A) Occupants of a golf cart in operation on town streets or thoroughfares shall be limited to the number of persons for whom factory-type seating is installed on the cart.

(B) Occupants of the golf cart, including the operator, shall use seat belts and be seated in permanently attached seats, and no part of the body of the operator or an occupant shall extend outside the perimeter of the cart while in operation. (Ord. 727, passed 3-2-09)

§ 75.08 ADMISSION OF LIABILITY.

The owner or lessee of a golf cart who applies for a permit to operate the golf cart within the town, as hereinabove provided in § 75.02, shall agree to be responsible jointly and severally, with any person who is permitted to operate the golf cart, for any injury or damages the operator causes by reason of the operation of the golf cart, if such operator is liable for such damages. (Ord. 727, passed 3-2-09)

§ 75.09 VIOLATIONS.

(A) Violation of any provision of this chapter shall constitute a violation of the Ogden Dunes Ordinance.

(1) An owner, lessee or operator may be cited to appear in a court of competent jurisdiction by the issuance of a Town Ordinance Violation Notice.

(2) The fines set forth in §70.99 shall apply to offenses hereunder, and the permit provided above may be suspended or revoked at the discretion of the Town Council.

(3) Further, in the event that two or more offenses violations of this chapter occur within one year of a first offense, the permit to operate the golf cart shall be revoked and may not be reissued for a period of one year.

(B) It shall be the responsibility of the owner or lessee of the golf cart to comply with the provisions of § 75.02 through 75.06 and § 75.08 of this chapter. The failure to comply with the above-referenced sections of this chapter shall constitute a violation of this chapter by the owner or lessee of the golf cart.

(C) It shall be the responsibility of the operator of the golf cart to comply with the provisions of § 75.06, § 75.07 and § 75.08 of this chapter (including specific responsibility for the actions of all occupants as set forth in § 75.08). The failure to comply with the above-referenced requirements shall constitute a violation of the ordinance by the operator.

(D) No vehicle that is eligible for registration, or required to be registered, with the Indiana Bureau of Motor Vehicles may be registered with the town or operated under the provisions of this chapter.

(E) Nothing in this chapter grants any authority or permission to any person to operate any vehicle on any federal, state or county road or highway.

(Ord. 727, passed 3-2-09)