ORDINANCE 2025-3-4
TOWN OF MOROCCO, INDIANA
AN ORDINANCE ESTABLISHING GOLF CART/UTV USAGE REGULATIONS IN THE TOWN OF MOROCCO, NEWTON COUNTY, INDIANA, PROSCRIBING PENALTIES FOR VIOLATION HEREOF, AND ALL MATTERS RELATED THERETO

WHEREAS, the Town Council of the Town of Morocco, Newton County, Indiana (hereinafter, the "Town Council"), has received requests for the use of motorized golf carts and utility task vehicles (UTVs) on the public streets, roads, and alleys within the Town; and

WHEREAS, the Town Council has jurisdiction to regulate the use of these vehicles upon its public streets, roads, and alleys within the Town, pursuant to Indiana Code § 9-21-1-3.3; and

WHEREAS, the Town Council has been informed and advised that presently there are no Town Ordinances pertaining to the operation of golf carts and UTVs on the public streets, roads, and alleys within the Town; and

WHEREAS, the Town Council has assessed the requests from citizens regarding the use of golf carts and UTVs on the public streets, roads, and alleys within the Town, and has directed review of said request by the administrative staff and police department of the Town; and

WHEREAS, the Town Council, upon review of the reports of administrative staff and police department of the Town, and upon review of applicable law, now concurs and agrees that it is appropriate, advisable, and in the best interest of the citizens of the Town, that regulations be established for the usage of golf carts and UTVs on the public streets, roads, and alleys within the Town, consistent with applicable law.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Morocco, Newton County, Indiana, that the Morocco Code of Ordinances be amended to create a new Chapter to read as follows:

Section 1. Purpose, Disclaimer of Risk, Insurance. This Chapter is adopted in the interest of public safety. Golf carts and UTVs are not manufactured to be used on public streets and roads, and the Town of Morocco does not advocate or endorse the use and operation of such on the public streets, roads, and alleys within the Town. All persons operating golf carts/UTVs must be observant of, and attentive to, the safety of themselves and others, including, but not limited to, passengers, other motorists, bicyclists, and pedestrians.

All persons who choose to operate a golf cart/UTV or ride as a passenger within the Town of Morocco do so at their own peril, and the Town of Morocco assumes no liability for the operation of golf carts/UTVs within the Town of Morocco based upon this Chapter. The Town of Morocco expressly disclaims any liability for any personal injury, death, property damage, and other losses caused, or alleged to be caused or incurred by any person due to, or alleged to be due to, the operation of a golf cart/UTV on the public streets, roads, and alleys of the Town of Morocco.

The express intent of this Chapter does not endorse any other vehicle, including, but not limited to, ATVs, dirtbikes, go carts, or other off-road vehicles to operate on the public streets, roads, and alleys within the Town of Morocco. This Chapter's express intent only allows the operation of golf carts and UTVs on public streets, roads, and alleys under the jurisdiction of the Town of Morocco.

Section 2. Definitions. For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. Golf Cart – a vehicle with four (4) wheels and a steering wheel, substantially similar to vehicle originally designed for operation on a golf course, powered by a battery or internal combustion engine.

B. UTV – a side by side driven vehicle with a steering wheel and equipped with operator and passenger seatbelts and a rollover protective structure.

C. Operator – a person holding a valid Operator's License issued by the State of Indiana, or any other state.

D. Financial Responsibility – liability insurance coverage applicable to the golf cart in an amount that is not less than required by all Indiana laws applicable to a motor vehicle operated on the public highways of the State of Indiana.

E. Golf Cart Permit – the permit required for any golf cart operating on the public streets, roads, and alleys within the Town of Morocco, pursuant to this ordinance.

Section 3. Minimum Safety Equipment. All golf carts/UTVs operated on the public streets, roads, and alleys within the Town of Morocco shall have the following minimum safety equipment, all of which shall be functional and in use at all times when the golf cart/UTV is in operation:

A. Headlights

B. Taillights

C. Brakes in good working condition

D. Rearview mirror

E. A Slow-Moving Vehicle sign that conforms to the provisions of Indiana Code §9-21-9-2, affixed to the rear of the golf cart/UTV.

Section 4. General Regulations.

A. Only a person holding a valid Operator's License may operate a golf cart/UTV on public streets, roads, and alleys within the Town of Morocco.

B. The maximum occupancy of a golf cart/UTV traveling on public streets, roads, and alleys within the Town of Morocco shall be one (1) person per bucket seat and three (3) persons per bench seat. All persons attached to, or riding on, a golf cart/UTV must be seated in one of the manufacturer designed seats, and may not be standing or riding on the back, or in any place designed for cargo or sporting equipment. No object or person's body part shall project from the vehicle when the vehicle is in motion. All children shall be properly supervised by an adult.

C. Golf carts/UTVs must be operated in compliance with all applicable state and local traffic laws which govern the use of public roads, including laws that prohibit the use or possession of alcoholic beverages, controlled substances, and illegal drugs, as well as any applicable Department of Natural Resources or Bureau of Motor Vehicles registration requirements.

D. Golf cart/UTV operators shall stay in the far right of the traveled portion of the road and yield the right-of-way to overtaking vehicles as soon as possible to do so safely.

E. Golf carts/UTVs shall not be operated on any sidewalk, pedestrian walkway, multi-use path, or jogging path, except to cross at intersections in a path perpendicular to the path or walkway.

F. Golf carts/UTVs may only be parked in the same manner and same places as designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts/UTVs in areas where parking is not allowed, or in any place that

may impede the flow of traffic, pedestrian walkways, or a passageway, is prohibited.

G. No person shall operate a golf cart/UTV in a negligent or reckless manner so as to endanger the person or property of another, or to cause injury or damage thereto.

H. No person may operate a golf cart/UTV on public streets, roads, or alleys within the Town of Morocco during any weather event or similar event where visibility is impaired by fog, heavy rain, smoke, or when there is insufficient lighting making it impossible to see a person or vehicle on the roadway at a distance of three hundred (300) feet or more.

I. Exemptions – Golf carts/UTVs operated by the persons or entities described below, in the manner described below, are not subject to the provisions of this Chapter:

    a. The use of a golf cart/UTV in connection with a parade, festival, or other special event approved by the Town Council;

    b. The use of golf carts/UTVs, or similar utility vehicles, by the Police or Fire Departments on official business, or the use of golf carts/UTVs by Town personnel for official business.

Section 5. Golf Cart Registration. In order to operate a golf cart/UTV on public streets, roads, or alleys within the Town of Morocco, registration of the golf cart is required and placement of a Town of Morocco Golf Cart/UTV Permit must be affixed to the front driver's side area of the golf cart/UTV. The cost of each Permit shall be $25.00 annually. Prior to each permit issuance, the Town Marshal or his/her designee shall complete an inspection of the vehicle to ensure that the vehicle complies with all requirements of the Town of Morocco and the State of Indiana.

Section 6. Enforcement, Fines. Any act or omission constituting a violation of this ordinance, which shall include a failure to comply with or maintain compliance with any requirements herein delineated, constitutes a violation of this Ordinance. A person convicted of a violation of this Ordinance shall be subject to a fine of Fifty Dollars ($50.00) per violation. Each day any violation of this Ordinance occurs will constitute a separate violation of this Ordinance, and the violator shall be fined an additional Fifty Dollars ($50.00) per day. All fines shall be payable to the Town of Morocco, and paid to the Morocco Town Hall.

Section 7. Severability. The sections and provisions of this Ordinance are declared to be severable any portion which is declared inoperative or invalid for any reason by a court of competent jurisdiction shall in no way affect the remaining sections or provisions of this Ordinance.

Section 8. Effective Date. This Ordinance shall become effective and be in full force and effect after its passage and approval by the Town Council, and upon its publication as required by law.

Section 9. Repeal of Prior Ordinances. This ordinance shall repeal and replace any prior existing Ordinance governing the use of golf carts/UTVs within the Town of Morocco.

PASSED AND ADOPTED by the Town Council of the Town of Morocco, Newton County, Indiana, this 4 day of March, 2025.

TOWN COUNCIL OF THE
TOWN OF MOROCCO, INDIANA

NICOLE KIMBRELL

JASON CORNELL

KATHY WHALEY

ATTEST: Sherri Rainford
SHERRI RAINFORD, CLERK-TREASURER