

COMMISSIONER ORDINANCE NO. CO 2018-012

AN ORDINANCE AMENDING THE ELKHART COUNTY CODE IN
CHAPTER 70: TRAFFIC REGULATIONS OF THE TITLE VII TRAFFIC CODE

WHEREAS Indiana Code Sections 36-1-3-1 et seq. permit any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana is the county legislative body and is by law authorized to adopt ordinances and resolutions with respect to public health, safety, and welfare;

WHEREAS Elkhart County, Indiana has an ordinance in place governing the usage of golf carts and low-speed vehicles on roadways in the unincorporated area of Elkhart County;

WHEREAS it has been determined that the existing ordinance governing the usage of golf carts and low-speed vehicles on roadways in the unincorporated area of Elkhart County should be amended;

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, RESOLVED, AND ORDAINED by the Board of Commissioners of the County of Elkhart, Indiana as follows:

1. Amendment of Elkhart County Code. Section 70.60(B) in Chapter 70: Traffic Regulations of Title VII: Traffic Code of the Elkhart County Code is hereby amended as follows:

(B) Operation of golf carts and low-speed vehicles. Except as limited by this chapter, golf carts and low-speed vehicles may be operated in the unincorporated areas of the county on public roadways that have a posted speed limit of 30 miles per hour or less and public roadways that do not have a posted speed limit but have a speed limit of 30 miles per hour or less as prescribed by Indiana statute. In addition, golf carts and low-speed vehicles are permitted to cross public roadways, on which they are otherwise not permitted to operate, at right angles in order to travel from one public roadway under the jurisdiction of the county to another public roadway under the jurisdiction of the county when the operation can be done safely.

2. Amendment of Elkhart County Code. Section 70.60(C)(3) in Chapter 70: Traffic Regulations of Title VII: Traffic Code of the Elkhart County Code is hereby amended as follows:

(C) Requirements.

(3) Place of operation. Golf carts and low-speed vehicles in the unincorporated areas of the county are prohibited:


- (a) on public roadways that have a posted speed limit in excess of 30 miles per hour and public roadways that do not have a posted speed limit but have a speed limit in excess of 30 miles per hour as prescribed by Indiana statute;
- (b) on state highways; and
- (c) on public sidewalks and public bike paths.

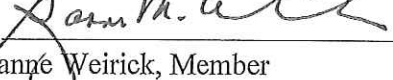
3. Effective Date. This Ordinance will be effective the 15th day of May, 2018, subject to publication as required by applicable law.

ORDAINED this 16th day of April, 2018.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: 
Mike Yoder, President

By: 
Frank R. Lucchese, Vice President

By: 
Suzanne Weirick, Member

ATTEST:


Pauline E. Graff, Elkhart County Auditor