

ORDINANCE NO: 6654

AN ORDINANCE ALLOWING FOR CERTAIN OFF-ROAD VEHICLE USAGE ON CITY STREETS

WHEREAS, it is determined that the City of Connersville is in need of a policy governing Off-Road Vehicles, as defined by Indiana Code 14-8-2-185, usage on city roadways.

WHEREAS, I.C. 14-16-1-20, I.C. 9-21-1-3.3, and I.C. 14-16-1-22 authorize a local city department to allow, Off-Road Vehicles to operate on city streets, pursuant to limits imposed by state law.

WHEREAS, I.C. and all other applicable state traffic and other laws, including but not limited to the following will remain in full force and effect and abiding by such laws shall remain the operator's sole responsibility.

- 1) All applicable speed limits – Operators are put on notice that they are responsible for abiding by all speed limits even if their vehicle is not equipped with the operable speedometer;
- 2) Any applicable Department of Natural Resources Registration requirement under I.C. 14-16-1, *et seq.*;
- 3) I.C. 14-16-1-23 – Requiring a working muffler; and,
- 4) Any and all requirements to maintain a valid operator's license.
- 5) All other laws of the State of Indiana.

BE IT NOW ORDAINED, by the City Council acting in their legislative capacity:

- 1) Subject to the regulations contained in this ordinance, only Recreational Off-Road Vehicles as defined by I.C. 14-8-2-233.5 and I.C. 14-8-2-185 are hereby allowed on the streets of the City of Connersville, subject to the conditions set forth in this ordinance. More specifically, Golf carts nor All-Terrain vehicles as defined by I.C. 14-8-2-5.7 are not permitted by this ordinance.
- 2) Recreational Off-Road Vehicles must have proof of a valid liability insurance covering his/her vehicle in an amount greater to or equal to the Indiana state automotive insurance minimums as set forth in I.C. 9-25-4-5 when operated on City of Connersville streets.
- 3) In order to qualify under this ordinance, a Recreational Off-Road Vehicles must have a Rollover Protection System that is Factory installed. Furthermore, the Recreational

Off-Road Vehicle must be equipped with seatbelts for each passenger including the Driver.

- 4) Recreational Off-Road Vehicle operators on City of Connersville streets must be at least eighteen (18) years of age or older with a valid operator's license.
- 5) No passengers are permitted on single seat Recreational Off-Road Vehicles on city streets. All other vehicles subject to this ordinance are limited to the number of passenger seats on the vehicle.
- 6) No Off -Road Vehicles will be permitted to have passengers under eight (8) years of age.
- 7) Any operator or passenger under the age of eighteen (18) must wear a helmet at all times while riding in or driving the vehicle.
- 8) Recreational Off-Road Vehicles must have at least one operating brake light when in operation on city streets.
- 9) No Recreational Off-Road Vehicles are permitted on City Roadways from sunset to sunrise unless they have functioning efficient lights as per State Law.
- 10) Recreational Off-Road Vehicles must travel single file on City streets.
- 11) All State motor vehicle laws and regulations must be followed at all time. No section of this ordinance is intended to conflict with State Law.
- 12) Failure to abide by any of the above conditions when Recreational Off-Road Vehicles are in use on City Streets and Roadways shall constitute a violation of this Ordinance.
- 13) Under authority as set forth in IC 9-21-1-3.3, Off-Road Vehicles are permitted upon all highways inside of the City Jurisdiction.
- 14) Fines and penalties for violations of this Ordinance.
 - 1) First violation \$100.00.
 - 2) Second violation \$250.00 and a 60 day suspension from using Recreational Off Road Vehicles on City Street.
 - 3) Third and Subsequent Violations - \$500.00 and a lifetime suspension from using Recreational Off-Road Vehicles on City Streets.
 - 4) The violation of a lifetime suspension shall result in a \$1,000.00 fine for each offense.
 - 5) Fines may be paid through the City of Connersville Clerk Treasurer or may be contested in Court.
 - 6) Court Costs, as set by state schedule, shall apply to all cases contested in Court.
 - 7) All fines shall be deposited in the City of Connersville General Fund.
- 15) Enforcement of this ordinance shall be conducted pursuant to I.C. 34-28-5.
- 16) If any provision of this Ordinance is found to conflict with Indiana state law or with Federal law, all other portions shall remain in full force and effect.
- 17) This Ordinance, shall become effective on the 5th day of October 2020, or upon the completion of all publications requirements, whichever is later. The City Clerk is directed to cause this ordinance to be published.

BE IT NOW ORDAINED AND ADOPTED THIS ^{21st} 5th day of October, 2020.


Clarence Werner

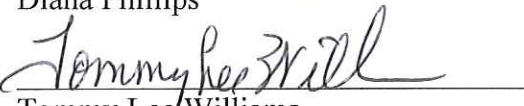
voted no
Jenny Barrett


Brian Robb

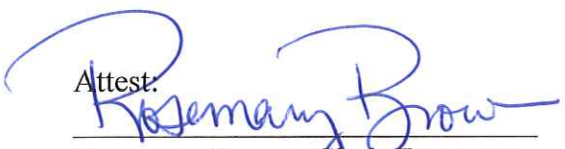

Bill Gray

voted no
David Nutty


Diana Phillips


Tommy Lee Williams

Mayor Chad Frank
City of Connersville, Indiana

Attest:

Rosemary Brown, Clerk Treasurer
City of Connersville, Indiana