

ORDINANCE NO. 2024-12

AN ORDINANCE TO AMEND TITLE VII, CHAPTER 77 OF THE CITY OF DELPHI CODE OF ORDINANCES ENTITLED "UTILITY TERRAIN VEHICLES AND GOLF CARTS" REGARDING THE PERIOD OF ACCESS

WHEREAS, Ordinance 2024-4, "An Ordinance Repealing and Reenacting Title VII, Chapter 77 of the City of Delphi Code of Ordinances Entitled "Utility Terrain Vehicles and Golf Carts," was adopted by the City of Delphi on February 5, 2024, thereby permanently enacting regulations for the use of UTVs and golf carts on streets and alleys within the corporate limits of the City of Delphi; and

WHEREAS, § 77.05 of Chapter 77 states that the current period of access for UTVs and golf carts runs from August 15 to August 14 of the following year, and access granted during the term shall expire on August 15 of the following year; and

WHEREAS, the Common Council of the City of Delphi recognizes that having the period of access run from January 1 to December 31 of each year facilitates easier and more efficient management and tracking of UTV and golf cart access permits; and

WHEREAS, the Common Council of the City of Delphi desires to amend § 77.05 of Chapter 77 of the City of Delphi Code of Ordinances to change the period of access to run from January 1 through December 31 each year with expiration on January 1 of the following year and to have the subsequent term for duly renewed access to commence on January 1 of each year.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Delphi, Indiana, that:

Section 1: City of Delphi Code of Ordinances Chapter 77, entitled "Utility Terrain Vehicles and Golf Carts," § 77.05, shall be amended to change the period of access to run from January 1 through December 31 each year with the term to expire on January 1 of the following year and to have the subsequent term for duly renewed access to commence on January 1 of each year.

Section 2: The amended § 77.05 shall read as follows per the attached Exhibit A.

Section 3: If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

Section 4: This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the majority of the Common Council of the City of Delphi, Indiana, this 3rd day of June, 2024.

EXHIBIT A

Amended:
§ 77.05 FEE.

The operator access fee under the terms of this chapter shall be as follows:

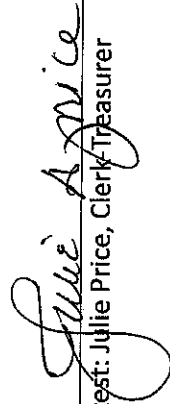
- (a) \$50 dollars annually.
- (b) Subsequent applications for previously approved operators shall be \$25 annually. The period of access granted by this chapter shall run from January 1 through December 31 of each year. Access granted during the term shall expire on January 1 of the following year regardless of when such access was granted during the term. Previously approved operators may apply for renewal of access for a subsequent term, which will commence on January 1 of the following year.
- (c) If the officer is unable to inspect the vehicle at the scheduled time due to being unable to contact the applicant, or being unable to locate the vehicle, the fee is not to be refunded. Should the application be denied, the fee is also not refunded. If the appointment is rescheduled within 24 hours of the appointment, no additional fees are incurred. Should rescheduling take place within 24 hours of the scheduled appointment, the applicant must further provide the application fee again. The approval of the City of Delphi law enforcement officer is guided by the definitions found in this chapter, but ultimately the decision is at the discretion of the officer.

Original included for reference:

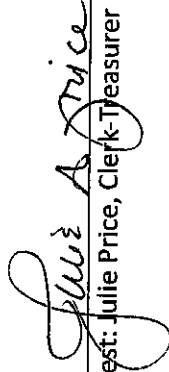
§ 77.05 FEE.

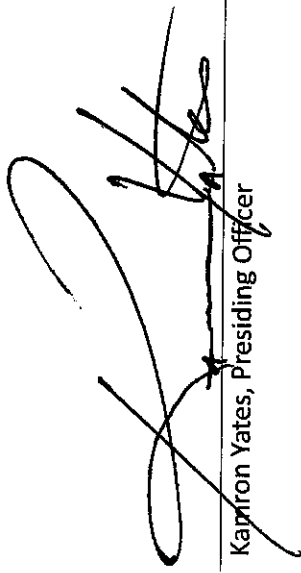
The operator access fee under the terms of this chapter shall be as follows:

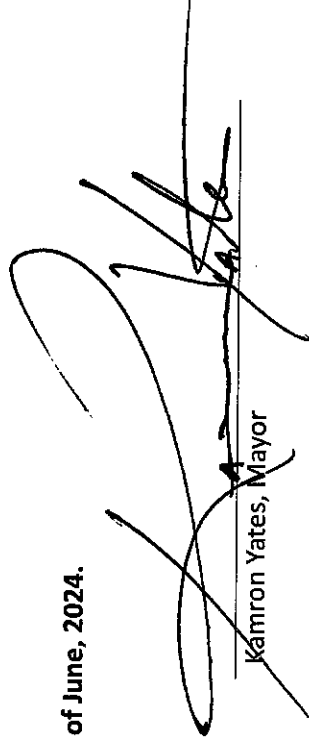
- (a) \$50 dollars annually.
- (b) Subsequent applications for previously approved operators shall be \$25 annually. The period of access Granted by this chapter shall run from August 15 through August 14 of the following year. Access granted during the term shall expire on August 15 regardless of when such access was granted during the term.
- (c) If the officer is unable to inspect the vehicle at the scheduled time due to being unable to contact the applicant, or being unable to locate the vehicle, the fee is not to be refunded. Should the application be denied, the fee is also not refunded. If the appointment is rescheduled within 24 hours of the appointment, no additional fees are incurred. Should rescheduling take place within 24 hours of the scheduled appointment, the applicant must further provide the application fee again. The approval of the City of Delphi law enforcement officer is guided by the definitions found in this chapter, but ultimately the decision is to the discretion of the officer.


Attest: Julie Price, Clerk-Treasurer

Approved / Vetoed by me, the Mayor, this 3rd day of June, 2024.


Attest: Julie Price, Clerk-Treasurer


Kamron Yates, Presiding Officer


Kamron Yates, Mayor