

ORDINANCE 484-16

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WALCOTT, IOWA, BY
ADDING A CHAPTER 74 PERTAINING TO GOLF CARTS**

BE IT ENACTED by the City Council of the City of Walcott, Iowa:

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Walcott, Iowa, is amended by adding Chapter 74, entitled GOLF CARTS, which is hereby adopted to read as follows:

74.01 PURPOSE. The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the *Code of Iowa*, as amended. This chapter applies whenever a golf cart is operated on any street or alley of the City of Walcott, Iowa.

74.02 DEFINITION. "*Golf cart*" means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, and has a gasoline engine displacement of less than 800 cubic centimeters or is electrically powered. No golf cart may be modified from factory specifications except to comply with the requirements set forth at Section 74.06 below.

74.03 LIMITED OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon streets of the City by persons possessing a valid Iowa operator's license and who is at least eighteen (18) years of age. All traffic regulations applicable to the operation of motor vehicles on streets, roads, and highways of the State of Iowa and the City of Walcott shall apply to the operation of a golf cart on the streets and alleys, or other permitted locations, of the City of Walcott, including the insurance requirements of Iowa Code Section 321A.21, as modified by the minimum liability limits set forth at Section 74.09, Sub Section 2(B) below.

74.04 GOLF CARTS SHALL NOT BE OPERATED UPON THE FOLLOWING STREETS:

1. Y-40/Blue Grass Road
2. Walcott Road/Hwy 6/ F58

Golf carts may cross said streets provided that:

- A. The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
- B. The golf cart is brought to a complete stop before crossing the street;
- C. The driver/operator yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

74.05 UNLAWFUL OPERATION.

1. No golf cart shall be operated in or on any park, playground, sidewalk, recreational bike or walking trail, or upon any public property except with the permission of the governing body thereof. Golf carts shall not be operated upon that portion of a street right-of-way between the curb or edge of the street paving or other surface and the sidewalk generally referred to as "the parking".
2. No golf carts shall be parked upon City sidewalks.
3. No golf cart shall be operated while the operator is under the influence of intoxicating liquor, narcotics, or habit forming drugs.

4. No person shall operate a golf cart in a careless, reckless or negligent manner endangering the person or property of another or causing injury or damage to the same.
5. No golf cart shall carry more passengers than the golf cart is designed to accommodate.
6. A person operating a golf cart or a passenger on a golf cart shall not ride other than on a permanent seat which is designed to be a part of the golf cart and permanently attached thereto.

74.06 EQUIPMENT. Golf carts operated upon City streets shall be equipped with a minimum of the following safety features.

1. A slow-moving vehicle sign.
2. A bicycle safety flag, the top of which shall be a minimum of five (5) feet from ground level and a level and a minimum of two (2) feet above the highest point of the golf cart.
3. Adequate brakes.
4. Headlights and tail lights, a condition of operation, on at all times.
5. Rear view mirror—driver's side.

74.07 OPERATION. Golf carts may be operated on City streets only between one-half hour (1/2) after sunrise and one-half hour (1/2) before sunset, between March 01 and November 30 of each year. There shall be no twilight operation at any time. A person operating a golf cart shall pull over to the sides of a public street or ally upon which it is operating and shall come to a complete stop at all such times a school bus is operating within three hundred (300) feet of the golf cart and shall remain stopped until the school bus is beyond the three hundred (300) foot radius of the golf cart.

74.08 SPEED. No golf cart shall be operated on any City street at a speed in excess of twenty-five (25) miles per hour. Posted speed limits must otherwise be followed in accordance with the *Code of Iowa*. No golf cart shall be operated at a speed greater than is reasonable and proper for existing conditions.

74.09 PERMITS. No person shall operate a golf cart on any public street or alley, for any purpose, unless the operator possesses a City of Walcott permit to operate a golf cart on City streets, issued by the Chief of Police or other authorized law enforcement officer employed by the City of Walcott, Iowa.

1. Golf cart owners and operators may apply for a permit from the Police Chief or designated Officer on forms designated by the City.
2. The Police Chief or designee shall not issue a permit until the owner or operator has provided the following:
 - A. Evidence that the owner is at least 18 years of age, and possesses a valid Iowa driver's license.
 - B. Proof that owner/operator has liability insurance (minimum limit of \$300,000.00 coverage) covering operation of golf carts on City streets.
3. All permits shall be issued for a specific golf cart. Permits must be kept in the golf cart at all times.
4. The fee for such permits shall be as set by City Council Resolution. Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31 of that year.
5. The permit may be suspended or revoked upon finding evidence that the permit holder has violated the conditions of the permit, has abused the privilege of being a permit holder or has violated applicable State,

County or City law. There will be no refund of the permit fee. The suspension or revocation, including a description of the violation, shall be provided in writing to the owner of the golf cart. The suspension or revocation may be appealed to the City Council within ten (10) days of the date of mailing of the written notice of suspension or revocation of the permit. The owner shall request the appeal in writing and submit the same to the City Clerk within the prescribed time period.

74.10 ACCIDENT REPORTS. Either the operator or someone acting for the operator shall immediately notify a law enforcement officer whenever a golf cart is involved in an accident resulting in injury or death to any person or persons, or property damage amounting to one thousand dollars (\$1,000.00) or more, and shall file an accident report within forty-eight (48) hours in accordance with State Law.

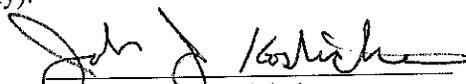
74.11 PENALTY. In addition to the suspension or revocation of the permit, a person who violates this chapter is guilty of a simple misdemeanor, punishable as scheduled violation under Iowa Code. Any person guilty of violating this ordinance two (2) times in a twelve (12) month period shall be subject to a revocation of the permit for a period of two (2) years. Any person guilty of violating this ordinance three (3) times shall be subject to a permanent revocation of the permit.

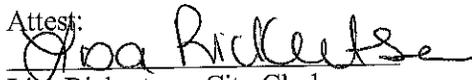
SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be effective after the final passage, approval and publication as provided by law.

Passed and approved by the Walcott City Council the 6th day of June, 2016 (first and second readings held the 2nd day of May, 2016 and the 16th day of June, 2016, respectively).


Mayor John Kostichek

Attest:

Lisa Rickertsen, City Clerk

I certify that the foregoing was published as Ordinance No. 484-16 on the 15th day of June, 2016.


Lisa Rickertsen, City Clerk