

## ORDINANCE NO. 10

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PAULLINA, IOWA 2016, BY AMENDING PROVISIONS PERTAINING TO GOLF CARTS.

Be it enacted by the City Council of City of Paullina, Iowa:

SECTION 1, TITLE IV – TRAFFIC AND STREETS, CHAPTER 1: TRAFFIC CODE, ARTICLE 12- GOLF CARTS, SECTION 12.01 - 12.05 is hereby amended as follows:

Remove sections 12.01 through 12.05 and replace with new Golf Cart Ordinance as follows:

### ARTICLE 12 – GOLF CARTS

12.01 PURPOSE. The purpose of this chapter is to regulate the use of golf carts within the City.

12.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. Golf carts shall mean and include any motor powered vehicle which are particularly used for golf recreation, whether so used or not, and which are either not registered, or registerable, by the State of Iowa as a motor vehicle for lack of capability to be so registered.

12.03 PERMITS AND OPERATION. The operators of golf carts shall comply with the following restrictions as to where and when golf carts may be operated within the City.

1. PERMITS. Permits shall be issued as follows:

A. Owners of golf carts shall apply to the Paullina City Clerk's office for a permit for each golf cart to be operated on the Paullina City streets. Each golf cart is required to have a permit. The fee for each permit shall be \$25.00 and shall be issued by the City Clerk. Said permit shall be valid for one year from January 1<sup>st</sup> through December 31<sup>st</sup>.

B. Operators of golf carts shall apply to the Paullina City Clerk's office for a permit to allow such a person to operate golf carts on the Paullina City streets. Each individual operator of a golf cart is required to have a permit. The fee for each permit shall be \$25.00 and shall be issued by the City Clerk. Said permit shall only be issued to individuals 18 years and older and be valid for one year from January 1<sup>st</sup> through December 31<sup>st</sup>. A copy of the permit shall be carried by the operator named on the permit while operating the golf cart. A permit may be issued for the following purposes.

- i. Going to and from place of employment
- ii. Going to and from personal or business property
- iii. Snow plowing/blading
- iv. Gardening/lawn work
- v. Individuals having handicapped parking privileges authorized by the Iowa Department of Transportation
- vi. Special events authorized by the City Council.

2. STREETS. Operators of golf carts holding permits may operate golf carts upon the streets under the jurisdiction and within the corporate limits of Paullina. Golf carts shall not be operated on any street which is a primary road extension or

State highway through the City, to wit: Maple Street and Grand Avenue. However, golf carts may cross such primary road extensions or highways at intersections.

3. PRIVATE PROPERTY. Golf carts may only be operated on private property with the expressed consent of the owner.

4. SIDEWALK AND PARKING . No golf carts shall be operated upon sidewalks unless engaged in snow removal or maintenance activities nor may they be operated upon that part of the street from the paved surface to the sidewalk or property line commonly referred to as the “parking” or any off street right-of –way , except for the purposes of snow removal, maintenance, or landscaping activities.

5. PARKS OR OTHER CITY LAND. Golf carts shall not be operated upon any City parks or other City lands except in the case of special events as authorized by the City Council.

6. LICENSE. No person shall operate a golf cart on the public streets of the City without a valid motor vehicle operator’s license.

7. EQUIPMENT. All golf carts shall be equipped with adequate brakes and safety flag, the top of which shall be a minimum of five feet from ground level.

8. TRAFFIC CODE OBSERVED. Any operator of any golf cart must observe all state and local traffic control regulations and devices and shall not operate a golf cart at a speed in excess of that posted or at any time operate a golf cart at a speed greater than is reasonable and proper under the existing conditions.

9. UNATTENDED GOLF CARTS AND PARKING. No owner or operator of a golf cart shall leave it unattended on public property while the motor is running or with the keys in the ignition switch. Owners and operators of golf carts must obey all parking regulations in the City.

10. HOURS OF OPERATION. No golf cart shall be operated within the City between sunset and sunrise.

11. OPERATORS. The owner of a golf cart shall not permit the same to be operated within the City limits of Paullina by an individual not in possession of a permit.

12. PENALTIES. Violation of this Chapter shall be a simple misdemeanor or a municipal infraction pursuant to the Paullina City code and shall further result in the following: First violation – permit suspension for 2 months. Second violation - permit suspension for 2 yrs. Third violation – permanent revocation with no possibility of reinstatement.

12.4 ACCIDENT REPORTS. Whenever a golf cart is involved in an accident resulting in injury or death, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty eight hours.

12.5 INSURANCE. The owner(s) of all golf carts operated upon city streets pursuant to this Chapter shall maintain liability insurance coverage insuring said operation.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be judged 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and adopted by the Council of the City of Paullina, on this 2nd day of February, 2018.

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Justin Stamer, Mayor

ATTEST:

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Sandy Fritz

I certify that the foregoing was publishes as Ordinance No. 10 on the 8<sup>th</sup> day of March 2018.

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Sandy Fritz, City Clerk