

ORDINANCE 189

AN ORDINANCE REGULATING THE USE OF GOLF CARTS ON CITY STREETS

The City Council of the City of Bird Island does hereby ordain:

DEFINITIONS: Except as otherwise defined in the City Code, the words and terms defined in Minnesota Statutes, Chapter 169 shall be applicable to this Ordinance.

MOTORIZED GOLF CART USE:

Subd. 1. Driving, Operating or Control of Motorized Golf Carts.

A motorized golf cart may be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Bird Island (not those under the jurisdiction of Renville County or the State of Minnesota), except such roadways prohibited by resolution of the City Council and only in strict compliance with this section.

Subd. 2. Permits.

No motorized golf cart shall be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Bird Island unless the driver, operator or person in control has in his or her actual physical possession a valid, current and unrevoked permit of the City of Bird Island for such driving, operation or control of a motorized golf cart.

Subd. 3. Permit Issuance.

Permits shall be issued by the Chief of Police, or authorized designee, upon compliance with this section.

1) Individual Permit.

To persons currently validly licensed to drive motor vehicles as defined by Minnesota Statutes, Chapter 169. No person whose license to drive is revoked, suspended, canceled or withdrawn may be issued an individual permit. Application for an individual permit shall include the full name and address of the applicant; the state of issuance of the applicant's current driver's license; the number of such driver's license; applicant's representation that such driver's license is not suspended, revoked, canceled or withdrawn; the date of application and applicant's signature; the name of applicant's insurance company; the number of the applicant's insurance policy; and the date of expiration of insurance coverage for such vehicle. As a condition to obtaining an individual permit, the Chief of Police or his designee may require an applicant to submit a certificate signed by a physician to the effect that the applicant is able to safely operate a motorized golf cart on the roadways or shoulders under the jurisdiction of the City of Bird Island.

2) Revocation of Permit.

An individual permit may be revoked by the Chief of Police if there is any material misrepresentation made in the permit application, liability insurance is no longer in effect, or there is evidence that the permittee cannot safely operate the motorized golf cart. The Chief of Police shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The revocation shall be in effect immediately after personal service or three days after the mailing.

3) Permit Expiration.

Permits shall be issued for a period of one year.

Subd. 4. Fees.

An individual permit applicant shall pay a fee of ten dollars, which fee shall be refunded if the permit applied for is not granted.

Subd. 5. Unlawful Acts.

No motorized golf cart shall be driven, operated or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Bird Island.

- 1) Between sunset and sunrise;
- 2) In inclement weather, when visibility is reduced or impaired by weather, smoke, fog or other conditions or at any time when there is insufficient light clearly to see a person or vehicle on a roadway at a distance of 500 feet;
- 3) Without prominent display of a slow-moving vehicle emblem provided in Minnesota Statutes, Section 169.522, on the rear of such vehicle;
- 4) Without a mirror so located as to reflect to the driver, operator or controller, a view of the roadway for a distance of at least 200 feet to the rear of such vehicle;

- 5) Without liability insurance coverage;
- 6) Contrary to any traffic law of the City of Bird Island or the State of Minnesota, except those which cannot reasonably be applied to motorized golf carts, or are not applied, by reason of Minnesota Statutes, Section 169.045, Subd. 7;
- 7) Contrary to any provisions of the City Code;
- 8) Without a current valid driver's license.

Subd. 6 Penalty.

Any person violating any provisions of this ordinance shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars.

Subd. 7 Effective Date.

This Ordinance shall take effect and be in full force from and after its passage and publication.

Passed and adopted this ____ day of _____, 2000 by the City Council of Bird Island, Minnesota.