

ORDINANCE #134

USE OF GOLF CARTS ORDINANCE

AN ORDINANCE REGULATING THE PERMITTING OF GOLF CARTS WITHIN THE CITY OF EYOTA, INCLUDING ADMINSTRATIVE PROCEDURES AND PROVIDING PENALTY FOR VIOLATION

As amended by Ordinance #141.

THE CITY COUNCIL OF EYOTA, MINNESOTA DOES ORDAIN:

SECTION 1. AUTHORIZED USE

A. Pursuant to the authority granted by Minnesota Statute 169.045, use of motorized golf carts vehicles are permitted within the city under the conditions set forth below.

B. Only persons who have a valid permit issued by the city shall operate a golf cart within the city on streets and alleys only.

C. Golf carts are not authorized within the city on pedestrian paths, on bike trails, on sidewalks, or in parks unless specifically permitted by the city.

SECTION 2. GENERAL PERMIT REQUIREMENTS

A. Each person desiring a permit for the operation of a golf cart must submit an application to Eyota City Hall with an application fee.

B. Each applicant shall show evidence of insurance which meets the requirements of Minnesota Statute 65B.48, subdivision 5, as it may be amended from time to time.

C. The city clerk or designated staff shall inspect each golf cart receiving a permit to ensure that each golf cart has a rear view mirror, a slow-moving vehicle sign, per Minnesota Statute 169.522, attached to the rear and that it is in generally good working condition.

D. Each permit must be renewed **every two (2) years. (amended 11-24-14)**

E. Standard mufflers which are properly attached to the golf cart and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a golf cart. The apparatus shall not be audible for a distance more than 500 feet from the place or places where such devices or apparatus will be located.

F. Brakes adequate to control the movement of and to stop and hold the golf cart under any condition of operation.

G. No persons without a valid driver's license are allowed to drive or operate a golf cart in the City of Eyota.

H. Golf carts may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights. They shall not be operated in inclement weather, except during emergency conditions as provided in the ordinance, or when visibility is impaired by weather, smoke, fog or other conditions, or at any

time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

I. Every person operating a permitted golf cart has all the rights and duties applicable to the driver of any other vehicle, except when those provisions cannot reasonably be applied to golf carts.

SECTION 3. GENERAL PERMIT REQUIREMENTS FOR THE HANDICAPPED

A. The general permit requirements as specified in Section 2 above must be met.

B. Each application shall be accompanied by a doctor's certificate dated not more than 30 days prior to the application date certifying that the individual is capable of safely operating a golf cart.

C. This requirement shall be deemed satisfied if the applicant has been issued a motor vehicle permit for a handicapped person.

D. Permits issued under handicapped requirements authorize the driver to go into city parks and use on park paths only as a direct means of access to facilities or functions, not for recreational type travel.

SECTION 4. CITY LIABILITY

Nothing in this section shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a golf cart by a permit holder, or from the city's failure to revoke a permit.

SECTION 5. ENFORCEMENT

SUBDIVISION 1. Issuance of Citations The City of Eyota may authorize any police officer or any other authorized representative of the law to issue a citation to any person, firm, or entity for any alleged violations of this ordinance and any other ordinance or statute which provides the basis for prosecution of violations of this ordinance. Nothing within this ordinance shall be construed to limit the authority of police officers to enforce any provisions of this ordinance or related statutes or ordinances. The police officer, or other official of the City, is authorized to issue a citation to any person, firm, or entity for any alleged violation of this ordinance as often as each day the violation persists.

SUBDIVISION 2. Revoking Permits The City of Eyota may revoke a permit at any time if it is shown that the permit holder:

1. cannot safely operate the golf cart on the designated roadway, or
2. has had a driver's license revoked or suspended and is currently under revocation or suspension, or
3. cannot provide proof of current insurance coverage, or
4. has had repeat offenses while driving a golf cart.

SUBDIVISION 3. Penalties Unless otherwise specified, violations of this ordinance are declared to be misdemeanor offenses and are punishable by fine of up to \$1,000 and/or ninety (90) days in jail.

SUBDIVISION 4. Severability If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of this ordinance and the application of the ordinance to any other situation shall not be invalidated.

Effective Date This ordinance shall be effective January 1, 2014. Publication will be in summary form, in the Post Bulletin.

Passed and adopted by the Eyota City Council the 12th day of September 2013.

Amended and adopted by the Eyota City Council the 24th day of November 2014.

Tyrel Clark
Mayor

ATTEST:

Marlis Knowlton
Clerk/Treasurer