

## Chapter 10.70

### GOLF CARTS

(Chapter 10.70 rewritten at its entirety)

Amd. 19-08, eff. 07/22/19

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**10.70.010 Purpose.**

The purpose of this Chapter is to establish a permit procedure to authorize the operation of Golf Carts on certain streets in the City of Blue Grass, Iowa, as authorized by Section 321.247, Code of Iowa, as amended. This Chapter shall be applicable whenever a golf cart is operated on any street or alley, within the City as provided in this Chapter. Additionally to establish a permit to authorize the operation of Golf Carts within the City.

**10.70.020 Definitions.** As used in this Chapter, unless the context otherwise requires:

1. *“Golf Cart”* means three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf.
2. *“Operate”* means to ride in or on, other than as a passenger, use or, control the operation of a golf cart in any manner, whether or not the golf cart is moving.
3. *“Operator”* means a person, who operates or is in actual physical control of a golf cart.
4. *“Roadway”* means that portion of a highway improved, designated, or ordinarily used for vehicular travel.
5. *“Street or Highway”* means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular travel.

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**10.70.030 General Regulations/Operation of Golf Carts Permitted.**

Golf carts may be operated on the City streets of Blue Grass, Iowa, by persons possessing a valid driver's license and who are at least eighteen (18) years of age, except as otherwise prohibited by this Chapter or the Code of Iowa.

**10.70.040 Location Restrictions for Golf Carts.**

- A. Golf cart operators holding valid City of Blue Grass permits shall not operate a golf cart upon a City street which is a primary road extension through the City. Primary road extensions are those streets that are also a State or Federal Highway but shall be allowed to cross a City street which is a primary road extension through the City. Golf carts shall not be operated on any street with a posted speed limit greater than twenty five (25) miles per hour or upon the following City streets:
  - 1. North and South Mississippi Street, (Also known as an extension of Y40)
  - 2. East and West Mayne Street, (Also known as old Hwy 61)
  - 3. West Laurretta Street
  - 4. North and South Oak Lane
  - 5. US Highway 61
- B. Trails. Golf carts are not be operated on bike or walking trails or snowmobile trails except where designated. (Code of Iowa, Section 321I.10 (3).
- C. Railroad Right-of-way. Golf carts shall not be operated on an operating railroad right-of-way. May be driven across a railroad right-of-way only at an established crossing and established crossing after yielding to all oncoming traffic. (Code of Iowa, Section 321I.14(h).
- D. Parks and Other City Land. Not be operated in any park, playground, or upon any other property owned by the City without the express permission of the City.
- E. Sidewalks and Parking. Golf carts are not be operated or parked upon the public sidewalks, boulevards, street parking lane or City road easements or right of way. Unless the operator possesses valid City of Blue Grass permit and is engaged in snow removal, maintenance or landscaping activities for the abutting property.
- F. City Parks and other land owned by the City of Blue Grass. Golf carts shall not be operated in City parks or upon other City owned land unless for a special event which is authorized by the City Council.
- G. Private Property. Golf carts may only be operated on private property with express consent of the owner.

**10.80.050 Exceptions.** Golf carts may be operated on prohibited streets only under the following circumstances:

- A. Emergencies. Golf carts may be operated on any street in an emergency (e.g., medical or when needed to transport hospital staff to hospital, etc.) during the period of time when and at locations where snow and ice upon the roadway render travel by conventional motor vehicles is impractical and unsafe. (Code of Iowa, Section 321G.9[4c])
- B. Direct Crossing. Golf carts may make a direct crossing of a prohibited street provided:
  - 1. 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;
  - 2. The golf cart is brought to a complete stop before crossing the street;
  - 3. In crossing a divided street, the crossing is made only at an intersection of such street with another street (Code of Iowa, Section 321G.9[2]).
- C. Police Department Use. Golf Carts may be operated on any street when operated by an on-duty City of Blue Grass Police Officer.

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- D. Fire Department Use. Golf carts may be operated on any street when operated by an on- duty City of Blue Grass Fire Department Firefighter for official use.
- E. City Employee, City Council Member and Park Board Use. Golf carts may be operated on any street when operated by an on-duty City of Blue Grass employee that has the appropriate license and is doing work or volunteering for the Public Works Department, the Park Board or the City of Blue Grass.

#### **10.70.060 Permits.**

No person shall operate a golf cart on any public street or alley for any purpose unless the operator possesses a City of Blue Grass permit to operate a golf cart on City streets, issued by the Blue Grass Police Chief or authorized designee.

- A. Golf cart owners must/shall apply for a permit from the Blue Grass Police Chief on forms provided by the City located at the Blue Grass City Hall.
- B. The Police Chief shall not issue a permit until the owner/operator has provided the following:
  - i. Evidence that the operator is at least eighteen (18) years of age and possesses a valid driver's license.
  - ii. Proof that the owner/operator has liability insurance covering operation of golf carts on City streets.
- C. The Applicant for a permit to operate a golf cart on the City streets, as a part of the application shall verify the golf cart complies with State law and the provisions of this Chapter.
- D. The operator of a golf cart shall prominently display the Blue Grass permit on the left side of the rear fender or similar component of the golf cart.
- E. The fee for a permit to operate a golf cart on the City streets and alleys shall be twenty-five dollars (\$25.00) annually from the date that the permit was issued. The permit is valid for one year and must be renewed annually. There will be no refund for the permit.
- F. Golf carts operated on City streets need not be registered by the Iowa Department of Transportation under Chapter 321 of the Code of Iowa.
- G. Golf carts must/shall adhere to Chapter 321 of the Code of Iowa regulating Motor Vehicles and Law of the Road.

#### **10.70.070 Equipment.**

Golf carts operated upon City streets within the City of Blue Grass and shall be equipped with the following items:

- A. A bicycle safety flag the top of which shall be a minimum of five (5) feet from ground level; if the golf cart has a canopy, the flag must be above the canopy.
- B. A slow moving vehicle triangle.
- C. Properly functioning brakes.

#### **10.70.080 Operation.**

1. To operate a golf cart on any City street, alley or right of way, a person shall be at least eighteen (18) years of age and shall have a valid driver's license. While on City streets, operators must have on their person or in the golf cart proof of the required insurance and registration.

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2. **Traffic Code.** Any person operating a golf cart, including those for which a City of Blue Grass permit has been issued, shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic.
3. **Unattended golf carts and Parking.** No person shall leave a golf cart unattended on public property while the motor is running or keys are in the ignition switch. Owner/operators shall comply with all parking regulations in the City.
4. **Riding on Golf Carts.** A person operating 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. No golf cart shall be used to carry more persons at a time than the number for which it designed and equipped. All riders are required to be seated.

#### **10.70.090 Speed.**

No golf cart shall be operated at a speed in excess of the lesser of twenty five (25) miles per hour or a posted speed limit, nor shall any golf cart be operated at a speed greater than is reasonable and proper for the existing conditions.

#### **10.70.100 Hours of Operation.**

Hours of Operation. Golf carts may be operated on City streets only between sunrise and sunset as set by the U.S. Naval Observatory, except for emergency situations or for loading and unloading from a transport trailer.

#### **10.70.110 Traffic Code.**

Any person operating a golf cart, including those for which a City of Blue Grass permit has been issued, shall strictly adhere to all traffic signs and signals and all other traffic rules and regulation, and shall obey the order and direction of any law enforcement officer authorized to direct or regulate traffic. No person shall leave a golf cart unattended on public property while the motor is running or the keys in the ignition switch.

#### **10.70.120 Negligence.**

The owner and operator of a golf cart, is liable for any injury or damage occasioned by the negligent operation of the golf cart. The owner of a golf cart, shall be liable for any such injury or damage only if the owner was the operator of the golf cart, at the time the injury or damage occurred, or if the operator had the owner's consent to operate the golf cart, at the time the injury or damage occurred. (Code of Iowa, Sec. 321I.19)

#### **10.70.130 Accident Reports.**

Whenever a golf cart, is involved in an accident resulting in injury or death to anyone or property damage amounting to One Thousand Five Hundred Dollars (\$1,500.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State Law. (Code of Iowa, Sec. 321I.11)

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**10.70.140 Golf Cart Insurance.**

Financial responsibility is required. The owner/operator of every golf cart being operated upon the streets and alleys of the City of Blue Grass, Iowa, shall have in effect liability insurance covering operation of the golf cart in the same limits, as required of automobiles by the financial responsibility provision of Section 321A.21 (Motor vehicle liability policy) Code of Iowa. (Refer to ii under permits)

**10.70.0150 Violation and Penalties.**

- A. Any person may be suspended or revoked by the City Council upon receipt of sufficient evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder.
- B. Any person found guilty of violating the provisions herein for the first time, shall be guilty of a misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) and revocation of the City of Blue Grass permit for a period of six (6) months
- C. Any person found guilty of violating this Ordinance two (2) times in a twelve month period shall be guilty of a misdemeanor and shall be subject to a fine of two hundred dollars (\$200.00) and revocation of the City of Blue Grass permit for a period of one (1) year.
- D. Any person found guilty of violating this Ordinance three (3) times in a twelve month period shall be guilty of a misdemeanor and shall be subject to a fine of three hundred dollars (\$300.00) and a permanent revocation of the City of Blue Grass permit.
- E. Any person who has been denied of a City of Blue Grass permit due to violations and is found operating a golf cart within the City of Blue Grass, shall be guilty of a misdemeanor and shall be subject to a fine of five hundred dollars (\$500.00).
- F. Any person who is in good standing, and who permits another person who has previously been deemed as “an unauthorized person to possess a permit” to drive their golf cart, shall be found guilty of a misdemeanor and shall be subject to a fine of two hundred dollars (\$200.00) for allowing an unauthorized person to drive. Additionally revocation of the City of Blue Grass permit for a period of two (2) months.

**10.70.160 Annual Review.**

The City Council shall annually review Chapter 10.80 to determine if the Ordinance warrants amendment or repeal.

**10.70.170 Repealer.**

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**10.70.180 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.

**10.70.190 When in Effect.**

This Ordinance shall be effective after the final passage, approval and publication as provided by law.

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