

CITY OF ATKINS
Ordinance # 185 to Amend Ordinance # 179
GOLF CARTS OPERATED
ON ATKINS CITY STREETS

62-12.01: PURPOSE: The purpose of this chapter is to permit and regulate the operation of golf carts within the City of Atkins.

62-12.02 DEFINITIONS: As used in this chapter, unless the context otherwise requires:

1. “*Golf cart*” means a 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*” mean 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.

62-12.03 OPERATION ON ROADWAYS, STREET, OR HIGHWAYS

1. Golf carts shall not be operated on Parkridge Road, 33rd Avenue or Sidewalks other than to make a direct crossing.
2. Golf carts may be operated on the streets of Atkins after first obtaining a permit as provided herein. Persons who obtain a permit as required below are authorized to operate a motorized golf cart on roadways or portions thereof within the City of Atkins.
3. The operation of the golf carts, on City streets, is to be only by persons possessing or who have had a valid driver’s license and are sixteen (16) years of age or older.
4. It is unlawful for any parent, guardian, or other person having the care, custody, and control of a minor under the age of sixteen (16) years to knowingly permit or allow such a minor to violate the provisions of this chapter.
5. The operation of golf carts on City streets is to be only from sunrise to sunset.
6. The number of occupants in the motorized golf cart may not exceed the design occupant load.

62-12.04 EQUIPMENT REQUIRED

1. Golf carts shall be equipped with a bicycle safety flag and reflective slow moving vehicle signage for operation on City streets.
2. Golf carts shall be equipped with adequate brakes to be operated on City streets.
3. Golf carts shall be in good mechanical condition and thoroughly safe for transportation of passengers.

62-12.05 UNLAWFUL OPERATION

1. A person shall not drive or operate a golf cart:
 - a. In a careless, reckless, or negligent manner as to endanger the person or property of another or cause injury or damage thereto.
 - b. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
 - c. In or on any park, playground, sidewalk, or upon any public owned property except with the permission of the governing body thereof.
 - d. No person will be issued a permit if his or her Drivers License is currently under suspension.

62-12.06 PERMITS AND PERMIT HOLDERS

1. For the persons who wish to operate golf carts as a mode of transportation with the City of Atkins, the following shall apply:
 - a. An application for a permit shall be made on a form supplied by the City.
 - b. The application shall contain the name and address of applicant, and the make, model, year, and serial number of the golf cart.
 - c. The applicant shall provide a valid form of identification, and be sixteen (16) years of age or older on the date of issuance.
 - d. The applicant shall provide and maintain an owner's policy of liability insurance which is issued by an insurance carrier authorized to do business in Iowa to or for the benefit of the person named in the policy as insured and insuring the person named as insured and any person using the golf cart with the express or implied permission of the named insured against loss from liability imposed by law for damages arising out of the ownership, maintenance or use of an insured golf cart in the amounts not less than the minimum limits specified for motor vehicles in Section 321A.21 of the Iowa Code.
 - e. The annual cost for such a permit is Twenty-five dollars (\$25) and is payable at the time the permit is granted. Permits may be granted for one year and will be 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 the year issued.

- f. All permits shall be issued for a specific motorized golf cart, except as otherwise stated. Permit holders will be issued a number and will purchase 4" minimum reflective numbers and affix to both sides of the golf cart near the front.
- g. Upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder, the permit may be suspended or revoked for the balance of the calendar year. There will be no refund of the license fee.
- h. Special consideration will be given those applicants who would qualify for a Handicap Parking Permit due to disability.

62-12.07 CITY CELEBRATION WAIVER

This provision will be waived for golf carts used by officials, workers, and volunteers of a City Celebration.

62-12.08 PENALTY

In addition to the suspension or revocation of the permit, a person who violated this chapter is guilty of a simple misdemeanor punishable as a non-scheduled violation under Iowa Code and may be considered a municipal infraction, punishable by civil penalty as provided by Chapter 3 of the Code of Ordinances of the City of Atkins. Standard Civil Penalties for first offense- Not to exceed \$750.00; Each Repeat Offense- Not to Exceed \$1,000.00.

62-12.09 All Ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

62-12.10 This Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

First Reading of this Approved October 18, 2010

Second Reading of this Approved November 1, 2010

Passed and Approved this Third and Final Reading this 15th day of November, 2010

David Becker

David Becker, Mayor

ATTEST:

Richard Lange

Richard Lange, City Clerk

