

**Ordinance No. 440.**

AN ORDINANCE TO AMEND CHAPTER 77 OF THE CODE OF ORDINANCES OF THE CITY OF SHELLSBURG, IOWA.

BE IT ENACTED BY THE CITY COUNCIL OF SHELLSBURG, IOWA;

SECTION I. Chapter 77 of the Code ordinances of the City of Shellsburg, Iowa, is amended in its entirety by repealing said chapter and in lieu thereof enacting the following:

TITLE II - COMMUNITY PROTECTION  
DIVISION 2- ENFORCEMENT: RECREATIONAL VEHICLES

**CHAPTER 77  
GOLF CARTS**

77.01	Purpose	77.07	Proof of Liability
77.02	Definitions	77.08	Streets upon which Golf Carts may be Operated
77.03	Operation Regulations	77.09	Careless Operation Unlawful
77.04	Equipment	77.10	Operating Under the Influence
77.05	Hours	77.11	Towing
77.06	Permit Required	77.12	Trespassing on Private Property
		77.13	Penalty

77.01 PURPOSE. The purpose of this chapter is to approve the operation of golf carts on the streets of the City.

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

1. "Golf Cart" means a three or four wheeled recreational vehicle used for transportation of person(s) in a sport of golf that is either electric powered or gas powered and which meets the American National Standard ANSI/ILTV Z130.1-2012. *For the purpose of this section, a "Golf Cart" shall not include any vehicle that is an "All-Terrain Vehicle," "Off-Road Utility Vehicle," or "Snowmobile"*
2. "Operate" means to ride in or on, other than as a passenger, use or control the operation of the golf cart in any manner, whether or not the golf cart is moving.
3. "Operator" means a person with a valid driver's license controlling the operation of the golf cart from the operator's seat.
4. "Street or Highway" means the portion of a public street or highway between the curbs designed or ordinarily used for vehicle travel.

77.03 OPERATION REGULATIONS. The following regulations apply to the operation of a golf cart within the City of Shellsburg.

1. Any operator of a golf cart must have a valid drivers license.
2. All riders in the golf cart must remain seated at all times.
3. At no time shall the operator of a golf cart hold any additional passenger(s) on their lap or between their legs.
4. No more that three (3) people may ride in the front seat of a golf cart and no more than two (2) people may ride in the back seat of a golf cart, if said seat exists. While in operation any rider must be seated on the seat and no part of the body of any rider will extend beyond the sides of the cart.

77.04 EQUIPMENT. Golf carts operated on City streets shall be equipped with adequate brakes, a slow moving vehicle sign, bicycle safety flag and such other safety equipment required by Chapter 321 of the Code of Iowa.

77.05 HOURS. Golf carts may be operated on City streets only between sunrise and sunset.

77.06 PERMIT REQUIRED. A person desiring to operate a golf cart in the City of Shellsburg, Iowa, pursuant to the conditions of this section shall first obtain, via an application submitted at the City Clerk's Office, a permit to allow such operation. The fee for the permit shall be set by Resolution of the Council and shall be issued by the City Clerk or the Chief of Police, provided the applicant satisfies the applicable conditions of this section and such other requirements as said City officials and/or the City Council may from time to time reasonably impose. The permit shall be affixed to the rear of the golf cart in the center (red portion) of the slow moving vehicle sign. This Permit shall be for a one year period of time; renewing every May 1<sup>st</sup>.

77.07 PROOF OF LIABILITY INSURANCE. As part of the permit process, the owner of the golf cart must maintain and provide current proof of financial responsibility in accordance with section 321.20B of the Iowa Code. The owner and operator of a golf cart are liable for any injury or damage occasioned by the negligent operation of that golf cart. The proof of insurance must be with the golf cart whenever said golf cart is in operation.

77.08 STREETS UPON WHICH GOLF CARTS MAY BE OPERATED. A golf cart may be operated on all City streets. At no time shall a golf cart be driven on the sidewalk.

77.09 CARELESS OPERATION UNLAWFUL. No person shall operate a golf cart in a careless, reckless or negligent manner, cause unnecessary tire squealing or skidding, simulate a temporary race, cause a wheel to unnecessarily lose contact with the ground, cause the golf cart to unnecessarily turn abruptly or sway, so as to endanger the person or property of another or cause injury or damage thereto.

77.10 OPERATING UNDER THE INFLUENCE. No person shall operate a golf cart while under the influence of intoxicating liquor or narcotics or habit forming drugs.

77.11 TOWING. No item shall be towed by a golf cart.

77.12 TRESPASSING ON PRIVATE PROPERTY. No golf cart shall be operated upon private property without the express consent of the owner thereof.

77.13 PENALTY. In addition to the suspension or revocation of the permit a person who violates this chapter is guilty of a simple misdemeanor punishable as a non-scheduled violation under Iowa Code.

SECTION II. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III. 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.

SECTION IV. When effective. This ordinance shall be effective May 1, 2017, after its final passage, approval and publication as provided by law.

Passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2017, and approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Danny Roehr, Mayor

Attest: \_\_\_\_\_  
Nancy Deklotz, City Clerk

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_