

ORDINANCE 775

ORDINANCE 775 ESTABLISHING A NEW CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA; ENTITLED "GOLF CARTS".

WHEREAS, the City Council has recommended establishing a City of West Branch Policy for reasons of safety and well-being of the citizens; and

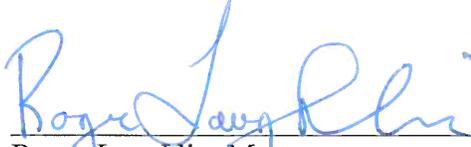
WHEREAS, the operations of a Golf Cart by under aged children could endanger the safety of persons driving, bicycling or walking on the roads or the safety of motorists, cyclists, pedestrians, or other children passengers on the Golf Cart; and

WHEREAS, this is a practice as well as other risky or prohibited behaviors that involve the golf cart operations are addressed within this ordinance; and

NOW, THEREFORE, BE IT ORDAINED:

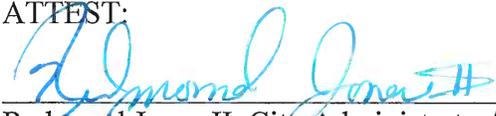
1. Establishing. Chapter 78 of the Code of Ordinances of the City of West Branch, Iowa, is hereby developed and incorporated into this Ordinance by this reference.
2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.
3. Adjudication. If any section, provision or part of this ordinance shall be adjudged to be 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.
4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First reading: March 16, 2020
Second reading: April 6, 2020
Third Reading: April 20, 2020



Roger Laughlin, Mayor

ATTEST:



Redmond Jones II, City Administrator/Clerk

CHAPTER 78
CITY OF WEST BRANCH GOLF CART ORDINANCE

78.01 Purpose

78.02 Operation of Golf Carts Permitted

78.03 Prohibited Locations

78.04 Equipment

78.05 Hours

78.06 Speed

78.07 Traffic Code

78.08 Permits

78.09 Accidents Report

78.10 Violation and Penalty

78.11 Annual Review

78.01 PURPOSE. The purpose of this chapter is to permit the operation of golf carts on certain street in the City, as authorized by section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cast is operated on any street or alley, subject to those exceptions stated herein.

78.02 OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon the streets of the city by persons who are 16 years old or older with a valid driver's license or as allowed by law. While operated on a city street the number of passengers permitted on a golf cart shall not exceed the number of seats intended for passengers. While on city streets, operators must have on their person or in the golf cart, the same proof of insurance as required by law for all other motor vehicles.

78.03 PROHIBITED LOCATIONS.

1. Streets. Golf Carts shall not be operated upon any City Streets with a posted speed limit of greater than 25 mph or any streets or parts of any street listed below.
 - A. Main Street
 - B. South Downey Street to the BP gas station (do not cross interstate)
 - C. Downey Street (Baker Ave) to W. Orange Street. However, golf carts may cross the aforementioned streets and travel upon the aforementioned streets for the shortest distance possible to the reach the next secondary street.
2. Trails. Golf carts shall not be operated on any recreational, bike or walking trail.
3. Sidewalks. Golf carts shall not be operated on sidewalks. Except for certain approved events.
4. Parking. Golf carts shall not be operated upon that portion of the street right-of-way between the curb or the edge of street paving and the sidewalk referred to as the "parking".
5. City Parks and other land owned by the City of West Branch. Golf carts shall not be operated in the City Parks or upon other city owned land unless for a special event authorized by the City Council and the operator possess a valid City of West Branch Permit.
6. Special Exemptions. The Chief of Police is authorized to permit golf carts to be operated on restricted City streets for certain special events.

78.04 EQUIPMENT. Golf Carts operated upon City streets shall be equipped with at least the following:

1. A slow moving vehicle Sign.
2. A bicycle safety flag, at the top of which shall be a 5 feet (5) from ground level, and extend a minimum 6 inches above the highest point of the golf cart.
3. The golf cart shall be equipped with adequate brakes to stop and hold the golf cart in a stopped position.

78.05 HOURS. Golf carts must be operated on the City streets only between sunrise and sunset.

78.06 SPEED. No golf cart shall not be operated at a speed in excess of the lesser of the twenty-five (25) per hour or less if so posted.

78.07 TRAFFIC CODE. Any person operating a golf cart, 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. No person shall leave a golf cart unattended on public property while the motor is running or the keys are in the ignition switch.

78.08 PROOF OF LIABILITY INSURANCE. The owner/operator of the Golf Cart is required to show proof of liability insurance when operating the golf cart on the streets or highways in the City of West Branch. The minimum liability insurance that is required is the same that is required a motor vehicle in the state of Iowa.

78.09 ACCIDENT REPORTS. Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever a Golf Cart is involved in an accident resulting in injury or death to anyone, or property damage amounting to one thousand dollars (\$1000.00) or more, and shall file an accident report within forty-eight (48) hours, in accordance with State Law.

78.10 VIOLATION AND PENALTY.

1. Any person guilty of violating the provisions herein 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 West Branch permit for a period of six months.

2. Any person guilty of violating this ordinance two times shall be subject to a fine of three-hundred dollars (\$300.00) and permanent revocation of the City of West Branch Permit.
3. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in, Section 3211.36 of the Code of Iowa.

78.11 ANNUAL REVIEW. The City Council shall annually review Chapter 78 to determine if the ordinance warrants amendment or repeal.