

**ORDINANCE NO 02-2010**

**GOLF CARTS**

**AN ORDINANCE CREATING NEW PROVISIONS TO THE GRAND RIVERS CODE OF ORDINANCES AND AUTHORIZING THE USE OF GOLF CARTS ON CERTAIN DESIGNATED CITY STREETS**

**WHEREAS**, KRS 189.286 was enacted by the Kentucky General Assembly which authorizes the use of golf carts on certain city streets;

**WHEREAS**, KRS 189.286 authorizes the City to regulate the operation of a golf cart on any public roadway under its jurisdiction that lies within five (5) road miles of an entrance to a golf course if the City adopts an ordinance specifying each roadway that is open for golf cart use; and

**WHEREAS**, the City Council deems it appropriate and necessary to formally adopt the provisions of KRS 189.286;

**NOW THEREFORE THE CITY COUNCIL OF GRAND RIVERS, KENTUCKY DOES ORDAIN:**

**SECTION 1. Definitions**

For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*Golf cart* means any self-propelled vehicle that:

- a. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
- b. Has a minimum of four (4) wheels;
- c. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
- d. Is designed to carry not more than six (6) persons including the driver;
- e. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
- f. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
- g. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 CFR 571.500.

*Local government* means a city, county, charter county government, urban-county government, consolidated local government, unified local government, or a special district.

**SECTION 2. Adoption of KRS 189.286**

In compliance with the provision of KRS 189.286 and this Ordinance, golf carts may be operated on the following designated City streets attached as Appendix A whose speed limits are thirty five (35) miles per hour or less.

**SECTION 3. Operation Requirements**

In order to be operated on such designated city streets, a golf cart shall:

- (1) Be issued a permit for the golf cart by the City;

(2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the City; and

(3) Be inspected by a certified inspector designated by the Livingston County Sheriff's office and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section. The inspection fee under this paragraph shall be five dollars (\$5). Inspections shall occur at Grand Rivers City Hall.

(4) Display a slow-moving vehicle emblem in compliance with KRS 189.820;

(5) Be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.

(6) Be operated only between sunrise and sunset;

(7) Be operated by a person with a valid operator's license in his or her possession;

(8) Display a safety flag which extends not less than seven (7) feet above ground, be dayglo in color, be triangular in shape with an area of not less than thirty (30) square inches.

(9) Be outfitted with headlights and tail lights to be operated at all times.

#### **SECTION 4. Application of Traffic Regulations**

Any person operating a golf cart on a public roadway under the provisions of this Chapter shall be subject to the traffic regulations of KRS Chapter 189 and any other applicable provisions of this Code of Ordinances pertaining to the operation of vehicles upon City streets.

#### **SECTION 5. Motor Vehicle Requirement Exemptions**

A golf cart operating on a public roadway is not considered to be a motor vehicle and is exempt from:

- (1) Title requirements of KRS 186.020;
- (2) Vehicle registration requirements of KRS 186.050; and
- (3) Emissions compliance certificates pursuant to KRS 224.20-720.

#### **SECTION 6. Exempted Golf Carts**

The provisions of these sections shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course

#### **SECTION 7. Penalty**

Any person violating the provisions of this Ordinance shall, upon conviction of a first offense, be fined not less than \$50.00 nor more than \$100.00. Any person convicted of a subsequent violation of this Ordinance, within five years of a prior conviction under this Ordinance, shall be fined not less than \$100.00 nor more than \$200.00. Upon an individual's third conviction of an offense hereunder, the individual's permit shall be revoked for three (3) years in addition to any fine. Failure to pay any fine within thirty (30) days due to a violation of this Ordinance shall result in suspension of permit.

#### **SECTION 8. Enactment**

This ordinance shall be read on two (2) separate days and will become effective upon publication of title and certified summary thereof.


Date of First Reading of Ordinance: April 13, 2010

Date of Second Reading of Ordinance: May 11, 2010

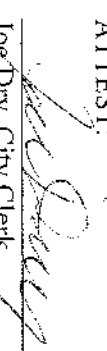
Date of Publication of Ordinance: May 18, 2010

Ordinance published in: Livingston Ledger

Ordinance Referenced: Minutes Book , Page

  
B. T. Moodie, Mayor

ATTEST:

  
Joe Dry, City Clerk

Certification

I, Joe Dry, do hereby certify that I am the duly appointed clerk of the City of Grand Rivers, Kentucky, that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on May 11 2010, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is still in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 11<sup>th</sup> day of May, 2010.

  
Joe Dry, City Clerk