

ORDINANCE NO. 23OR 004

An Ordinance Creating Chapter 10.52 of the Viroqua Municipal Code.

Section 1: Chapter 10.52 of the Viroqua Municipal Code is created as follows:

10.52.010 Purpose. The purpose of this section is to establish regulations to ensure the safety and welfare of persons and property relative to the operation of golf carts on public streets within the City.

10.52.020 Definitions. As used in this section, "golf cart" is defined as a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour on a paved, level surface.

10.52.030 Operation of golf carts allowed; exceptions.

- (a) Allowed. The operation of golf carts on the public streets within the City, except Main Street (US HWY 14), where the speed limit is 25 miles per hour or less in compliance with the provisions of this section shall be permitted. Golf carts may only operate across a state trunk or connecting highway if the state trunk or connecting highway has a speed limit of 35 miles per hour or less, the highway crossing will connect highways designated for golf cart operation and the highway crossing is marked with a highway crossing sign. It shall be unlawful to operate any golf cart that is not properly registered with the City or operate any golf cart at any place, time or in any manner not authorized herein or in violation of the provisions of this section.
- (b) Exceptions. The operation of golf carts is not subject to the provisions of this section under the following circumstances:
 - (1) The operation of golf carts at golf courses or on private property with the consent of the owner.
 - (2) The use of a golf cart in connection with a parade, a festival or other special event, provided the consent of the event sponsor is obtained and provided the golf cart is used only during such event.

10.52.040 License required. No person who is less than 16 years of age or who does not have a valid driver's license issued by the State of Wisconsin or some other state may operate a golf cart on any public street within the City. For purposes of this section, a learner's permit shall not be considered as a valid driver's license, nor shall any license that has been revoked or suspended for any reason be considered as a valid driver's license during the period of suspension or

revocation.

10.52.050 Registration. Golf carts shall be licensed by the City and the license shall be issued to the owner of the vehicle. The annual fee for a license shall be set by the City Council from time to time. Licenses shall be issued by the Chief of Police and shall be valid from April 1 to March 31. No partial licenses shall be issued and no refunds shall be made for golf carts sold before the license year ends. Golf cart licenses are not transferrable between owners. The license shall be clearly displayed on the rear of the golf cart. Owners of golf cart shall also obtain a certificate of title from the Wisconsin Department of Transportation.

10.52.060 Proof of liability insurance. The owner of the golf cart must provide a certificate of insurance listing the company, policy term, and minimum limits of liability of \$100,000 per person, \$300,000 per accident and \$5,000 for medical.

10.52.070 Inspection. Prior to issuing the initial registration permit or any renewal thereof, the golf cart shall either be inspected by the Chief of Police to determine that:

- (a) The golf cart is equipped with headlights, taillights, turn signals, a rear vision mirror and at least two red rear reflectors at least three inches in height and width;
- (b) The golf cart is equipped with a reflective "slow moving" sign or flag on the rear of the cart;
- (c) The brakes provided by the manufacturer of the golf cart are in proper working order;
- (d) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour, nor otherwise modified in any way that creates a hazard; and
- (e) The golf cart is equipped with all mechanical systems and safety equipment required by this section.

10.52.080 Denial and revocation. The initial registration of a golf cart may be denied or subsequently revoked by the Chief of Police if it is determined that:

- (a) The application contains any material misrepresentation;
- (b) The golf cart is not in compliance with the requirements of this section;
- (c) The golf cart has been altered or customized and no longer meets the definition of a "golf cart";
- (d) Equipment supplied by the manufacturer, especially safety equipment,

has been removed from the golf cart or the vehicle identification or serial number has been removed; or

(e) Other good cause shown, including repeated violations of this section.

10.52.090 Operational regulations. Golf carts shall not be operated on the public streets of the City, except in full compliance with the following:

(a) Dates and hours of operation. Golf carts may be driven on approved public streets from March 1 to October 31 between sunrise until sunset. Golf carts may not be operated when fog, smog, smoke, snow or other conditions reduce visibility so that the golf cart is not visible for a distance of 250 feet.

(b) Motor vehicle laws. All laws regarding the use of motor vehicles in the State of Wisconsin and all ordinances regarding the use of motor vehicles in the City not inconsistent therewith shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour.

(c) Right-of-way. The operator of a golf cart shall yield the right-of-way to motor vehicles and pedestrians. Golf carts shall operate in a single file on the far right side of the roadway with the flow of traffic.

(d) Public property and sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, public park, bike path, or public trail, except by City personnel while on City business. Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or leased by the City, except with the express written consent of the City Council and upon the terms and conditions as may be set forth in such written consent, or to gain access to a parking lot for purposes of parking.

(e) Golf cart capacity. The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed, and all riders must remain seated at all times while the golf cart is in operation.

(f) Commercial purposes. Golf carts may not be used for the commercial carrying of passengers or the hauling of freight.

(g) Parking. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.

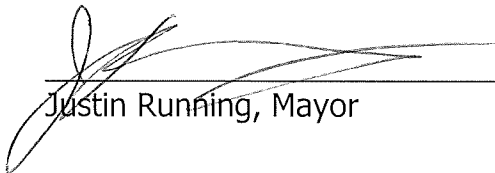
(h) Towing. Golf carts may not be used for the purpose of towing another cart, trailer, or vehicle of any kind or for towing a person on roller skates, a skateboard, or a bicycle.

10.52.100 Disclaimer and liability.


(a) Disclaimer. Golf carts are not designed for nor manufactured to be used on public streets, and the City neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads, and highways. The City in no way shall be liable for accidents, injuries or death involving the operation of a golf cart.

(b) Assumption of risk. Any person who owns, operates, or rides upon a golf cart on a public street, road or highway within the City does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

10.52.110 Enforcement. Each violation of a State or local traffic code not contained within this chapter shall subject the operator of the golf cart to the citations and penalties set forth for such violations in the applicable State Statues and City Ordinances. If not otherwise provided, the penalty for violation of this chapter shall be \$30 per occurrence, plus additional costs, and penalties.


Justin Running, Mayor

Date: 9/27/2023


Lori Polhamus, Clerk

Date: 9/27/2023

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