

ORDINANCE NO. 353

“AN ORDINANCE AMENDING THE CITY OF HARTLEY CODE OF ORDINANCES BY ADDING CHAPTER 79 GOLF CARTS”

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF HARTLEY, IOWA

SECTION I. ENACTMENT. The Hartley City Code of Ordinances shall be amended by adding Chapter 79 Golf Carts.

GENERAL PROVISIONS

79.01 **PURPOSE:** In order to facilitate and allow the safe operation of golf carts upon certain streets within the city, it is necessary to enact rules and regulations for the operation thereof.

79.02 **DEFINITION:** For purposes of this chapter, the phrase “golf cart” shall mean any vehicle with three (3) or more wheels, powered either by electricity or an internal combustion engine, which is used and designed primarily for the transportation of individuals.

79.03 **DRIVERS:** Any person operating a golf cart shall be at least sixteen (16) years old and possess a valid motor vehicle operator’s license issued by the Iowa Department of Transportation.

79.04 **HOURS OF OPERATION:** Golf carts may be operated upon designated streets from sunrise to sunset, regardless whether the golf cart is equipped with lights.

79.05 **SAFETY:** Any golf cart operated upon designated streets shall be equipped with a slow-moving vehicle sign on the back thereof as well as a bicycle safety flag, and all carts shall have adequate breaks.

79.06 **PROHIBITED STREETS:** Golf carts shall not be operated on any street which is a primary road extension through the City, including, but not limited to, 8th Avenue W and 8th Avenue E, and Highway 18. However, golf carts may cross such a primary road extension.

79.07 **FINANCIAL RESPONSIBILITY/NEGLIGENCE:** The owners and operators of a golf cart are liable for any injury or damage occasioned by the negligent operation of the golf cart.

79.08 **RULES OF OPERATION:** Drivers of golf carts upon designated streets shall be subject to all applicable provisions of Chapter 321, including section 321.247, of the Code of Iowa, and any subsequent amendments, and any violation of the applicable provisions of said chapter shall also constitute a violation of this chapter. In addition, drivers of golf carts operated pursuant to this chapter shall be subject to the following additional rules:

- A. Except when executing a left turn, golf carts shall be driven as close as practicable to the right-hand edge of any street.

- B. Golf carts shall yield the right of way to other motor vehicles at all uncontrolled intersections regardless of the dictates of section 321.319 of the Code of Iowa.
- C. Golf carts shall not be parked upon streets.
- D. When necessary to prevent congestion of traffic, golf carts shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
- E. When two (2) or more golf carts are being operated in the same direction and general vicinity, they shall proceed in single file.
- F. Only two (2) people are allowed to ride in a golf cart at one time, or up to the number of people allowed for in the originally manufactured design of the cart.

79.09 PENALTY: Anyone violating any of the provisions of this chapter, shall upon conviction, be guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 3, of the 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, provisions or parts of this ordinance shall be adjudged unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any action, provision or part thereof not adjudged invalid or unconstitutional.

SECTION IV. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED, by the council this 10th day of June, 2019.

First Reading: June 10, 2019
Second Reading: Suspended June 10, 2019
Third Reading: Suspended June 10, 2019
Final Approval: June 10, 2019

Rodney Ahrenstorff, Mayor

ATTEST:

Erica Haack, City Clerk/Administrator

I certify that the foregoing was published as Ordinance No. 353 on the 20th day of June 2019.

Erica Haack, City Clerk/Administrator