

CHAPTER 77

OPERATION OF GOLF CARTS ON CITY STREETS

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77.01 PURPOSE. The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the *Code of Iowa*, as amended. This chapter applies whenever a golf cart is operated on any street or alley of the City of Dakota City, Iowa.

77.02 DEFINITION. "*Golf cart*" means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, that is limited in engine displacement of less than 351 cubic centimeters and total dry weight of less than 800 pounds.

77.03 OPERATION OF GOLF CARTS. The operator of a golf cart shall comply with the following restrictions:

1. Prohibited Streets. Golf carts may not be operated on any of the following designated streets:
 - A. Main Street between 3rd and 6th Streets; and,
 - B. Grass Alleys.
2. Exceptions. Golf carts may be operated on prohibited streets only under the following circumstances:
3. Direct Crossing. Golf carts may make a direct crossing of a prohibited street provided all of the following occur:
 - A. The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
 - B. The golf cart is brought to a complete stop before crossing the street;
 - C. The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and
 - D. In crossing a divided street, the crossing is made only at an intersection of such street with another street.
4. Railroad Right-of-Way. Golf carts shall not be operated on an operating railroad right-of-way. A golf cart may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

5. Parks and Other City Land. Golf carts shall not be operated in any park, playground, trail, or upon any other City-owned property without the express permission of the City.
6. Sidewalk or Parking. Golf carts shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.
7. Private Property. It is unlawful for any person to operate a Golf Cart on the private property of another without the express permission to do so by the owner or occupant of said property.
8. License. No person shall operate a golf cart without a valid state issued motor vehicle operator's license.
9. Passengers. No golf cart shall carry more passengers than the golf cart has designed seating for. Passengers must be seated inside the golf cart.
10. Manner. No person shall operate a golf cart in a careless, reckless, or negligent manner endangering person or property of another or causing injury or damage to the same.
11. Alcohol. No golf cart shall be operated while the operator is under the influence of intoxicating liquor, narcotics, or habit forming drugs.
12. Open Container. No golf cart shall be operated with an open container of alcohol as referred to in *Code of Iowa* Sections 321.284 and/or 321.284A.
13. Traffic Code Observed. Any operator of any golf cart must observe all State and local traffic control regulations and devices.
14. Age. No person under the age of 18 shall operate a golf cart on any City streets.

77.04 EQUIPMENT. Golf carts operated upon City streets shall be equipped with a minimum of the following safety features.

1. A slow moving vehicle sign.
2. A bicycle safety flag that is 30 square inches and displayed so the bottom of the flag is either at least five feet in the air above the ground, or the bottom of the flag shall be above the top of the roofline.
3. Adequate brakes.
4. Headlights and tail lights.
5. Rear view mirror—driver's side.

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

77.06 SPEED. No golf cart shall be operated on any City street at a speed in excess of 25 miles per hour. Posted speed must be followed in accordance with the *Code of Iowa*.

77.07 NEGLIGENCE. The owner and operator of a golf cart is liable for any injury or damage occasioned by the negligent operation of a golf cart. The owner of a golf cart shall be liable for any such injury or damage only if the owner was the operator of the golf cart at the

time the injury or damage occurred or if the operator had the owner's consent to operate the golf cart at the time the injury or damage occurred.

77.08 FINANCIAL RESPONSIBILITY. The owner or operator of any golf cart must maintain and provide current proof of financial responsibility upon request of any law enforcement officer or City official upon request.

77.09 ACCIDENT REPORTS. Whenever a golf cart is involved in an accident resulting in injury or death to anyone or property damage amounting to \$1,500.00 or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report, in accordance with State law.

(Code of Iowa, Sec. 321.266)

77.10 PERMIT. No person shall operate a golf cart on any public street or alley unless the golf cart is properly permitted by the City under the following regulations:

1. Golf cart owners may apply for a permit from the City Clerk on forms provided by the City.
2. In addition to the application form a golf cart owner shall provide the City with the following:
 - A. Evidence that the owner of the golf cart has proof of financial liability
 - B. Evidence that the golf cart is properly registered with the State of Iowa.
3. Permits shall be issued for a specific golf cart. Upon issuance of a permit the City shall issue the permit holder a sticker that must be affixed to the rear of the golf cart and be, at all times, visible to any peace officer or City official.
4. The fee for a permit shall be \$50.00. Each permit shall be valid for one year beginning on January 1 and expiring on December 31. Permits may be purchased at any time during the year but shall expire on December 31 annually. The permit fee shall not be prorated.
5. A permit may be suspended for up to 60 days by a peace officer upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. The permit holder may request a hearing in front of the City Council to appeal the suspension of their permit. The decision of the City Council shall be final. There shall be no refund of the permit fee should the permit be suspended or revoked.

77.11 PENALTY. A violation of the provisions of this chapter shall be deemed to be a municipal infraction, subject to a civil penalty of up to \$750.00 per offense. An offender may also be subject to prosecution under the *Code of Iowa* for any scheduled violation. Any person who commits two violations of this chapter within a 24-month period shall have their permit for the golf cart revoked, with no chance of reissuance for a period of 12 months from the date of revocation.

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