## ORDINANCE 2020 - 1

# AN ORDINANCE CREATING 4.09 GOLF CART REGULATIONS OF THE MUNICIPAL CODE OF THE VILLAGE OF GLENBEULAH

WHEREAS, following due consideration and as authorized by Wis. Stat. § 349.18, the Village Board of the Village of Glenbeulah, Sheboygan County, Wisconsin, has determined that all Village roads with a speed limit of 25 miles per hour or less shall be designated as golf cart routes to allow the operation of golf carts upon all village roads.

**NOW, THEREFORE**, the Village Board of Trustees of the Village of Glenbeulah does ordain as follows:

Section 1. Amending Code. Section 4.09 is hereby created to read as follows:

"4.09 GOLF CARTS

#### (1) Speed and Equipment:

- (a) <u>Speed.</u> No person shall operate a golf cart within the Village or on any trail or street or other public way designated in section 4.09(5) at a speed in excess of any posted limit. Any golf cart which is not able to attain the speed of 25 mph must display a slow moving vehicle sign as stated in Wis. Stats. § 347.245(1).
- (b) Restriction on equipment. No golf cart may be operated on any street within the Village limits unless it conforms to all noise, registration and other equipment requirements as stated in the Wisconsin Statutes or the Municipal Code of the Village.
- (c) <u>Headlight and taillight.</u> Every golf cart operating within the Village, upon any public street must display a lighted headlight and taillight at night and said lights must conform to the requirements of this section. Headlights shall be of a white or clear light and must be capable of illuminating the road ahead during hours of darkness. Headlights must be properly adjusted, as not to interfere with the operation of other vehicles on the roadway. Taillights shall be red in color.
- (d) <u>Trail Use Permit.</u> An annual municipal trail use permit is required to operate any golf cart within the Village limits. It is the intent that the fee for this permit be reviewed annually and may be published by the Village clerk on the Village web site www.glenbeulahwi.gov.
  - (i) A trail use permit shall be issued allowing it to be operated upon Village streets for a period of one year. Such permit shall be plainly visible on the front cowling as to be plainly seen by a passing patrol officer.
    - a. The annual trail use permit shall be valid from May 1 through April 31 of each consecutive year.

- b. The trail use permit fee for the 2021 season shall be \$25.00.
- c. Registration exemption. A golf cart shall be exempt from the registration requirement if the operator meets the definition of a person with a disability as described in Wis. Stats. § 340.01(43g). Proof of disability must be carried while the vehicle is in operation.

#### (ii) Permit requirements.

- a. The golf cart shall have proof of ownership and insurance present at time of permit application submission.
- b. The application form for that purpose must be completed and signed by the owner.
- c. The proper fee must be paid to the Village clerk, prior to issuance of the permit.
- (2) <u>Unattended Vehicles.</u> No person shall leave or allow any golf cart owned or operated by him/herself to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (3) Operation on Sidewalks Prohibited. No person shall operate a golf cart upon any sidewalk, pedestrian way or upon the (terrace) area between the sidewalk and the curb line of any street in the city, except as specifically authorized for the purpose of legally crossing the street, to obtain immediate access to an authorized area of operation.
- (4) Restrictions on Operators of Golf Carts. No person shall operate a golf cart upon Village streets, alley or public right-of-way within the corporate limits of Glenbeulah unless such person shall have a valid motor vehicle operator's license.
- (5) Golf Cart Routes and Trails Designated. All Village streets with a speed limit of 25 miles per hour or less shall be established as golf cart routes or streets within the Village limits. These routes shall be designated as golf cart routes and may be used for that purpose, under all circumstances at any time of day or night.
- (6) Operation prohibited in certain areas:
  - (a) No person may operate a golf cart for any reason on any street where operation is prohibited by a posted sign.

Note: Any street may be driven across from one side to the other, from a legal area to reach a street which is legal to operate upon.

(b) No person may operate a golf cart in the following areas, unless authorization is first obtained from the Village Board (Village property need

not be posted, golf cart operators must know who's property they are operating upon before entering any property):

- (i) Any Village parks.
- (ii) Any Village cemeteries.
- (iii) Any property owned or leased by the Village, except in any Village owned parking lot or driveway.
- (iv) Anywhere in the Village on the grass skirt area between the street and sidewalk. (Except where motor vehicle traffic is normally allowed on paved surfaces only).
- (c) <u>Signs and markers to be obeyed.</u> No person operating a golf cart shall fail to obey any route or trail sign, marker or speed limit or other control device erected in accordance with this section or traffic sign or signal.

#### (7) Golf Cart Travel within Village Limits.

- (a) Golf carts shall be operated on the extreme right side of the roadway and travel with the flow of traffic.
- (b) Golf carts shall be operated in single file with headlights and taillights in operation at night.
- (c) Golf cart operators shall yield the right-of-way to all other vehicular traffic and pedestrians.
- (d) Golf carts violating any of the above conditions will be subject to the penalties provided by Section 4.09(2) of this Code.
- (e) <u>Speed.</u> Golf carts operated on any portion of any roadway or shoulder of a highway pursuant to this section shall observe the posted speed limit for that roadway.
- (8) <u>Enforcement.</u> The provisions of this chapter shall be enforced in accordance with Wisconsin Statutes 345.20 to 345.53 and 66.0113 and by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. In the alternative, the Village Board may commence an action for violation of this ordinance pursuant to Wis. Stat. § 66.0114.
- (9) <u>Penalty.</u> Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than \$500.00, together with the costs of prosecution."
- Section 2. Amending Code. Section 16.04, Village of Glenbeulah Ordinance Bond Schedule is hereby amended to add the following bonds (additions indicated by <u>underlining</u>; deletions by strikeouts):

### 4.09(7)

#### Golf Cart Violation

\$ 50.00"

Section 3. Severability. Any other prior ordinance previously adopted not consistent with the above shall hereby be repealed. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

Section 4. <u>Effective Date</u>. The herein Ordinance shall take effect upon enactment and publication as required by law.

Respectfully submitted this \_//\_ day of \_\_\_\_\_\_\_, 2020.

VILLAGE OF GLENBEULAH

Douglas Daun, President

# CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Village Board and Trustees of the Village of Glenbeulah, Wisconsin, on the \_\_\_\_ day of \_\_\_\_\_\_, 2020.

Michele Bertram, Clerk/Treasurer

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