

ORDINANCE NO. 2104

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS AND UTILITY TERRAIN VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF COUNCIL GROVE; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF SECTION 114.4 OF THE 2010 STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. 2072.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, KANSAS:

Section 1. OPERATION OF GOLF CARTS AND UTILITY TERRAIN VEHICLES.

(a) Golf carts and utility terrain vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the City; provided, however, that no golf cart or utility terrain vehicle may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 35 miles per hour. No golf cart or utility terrain vehicle shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart or utility terrain vehicle from crossing a federal or state highway or a street or highway with a posted speed limit greater than 35 miles per hour.

(b) No golf cart or utility terrain vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a golf cart or utility terrain vehicle on the public highways, streets, roads and alleys of the City shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

Section 2. SAME: VALID DRIVER'S LICENSE REQUIRED; PENALTY. No person shall operate a golf cart or utility terrain vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

Section 3. SAME: DEFINITIONS: "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver. "Utility terrain vehicle" means a vehicle that has not less than four wheels in contact with the ground, has side-by-side seating arrangements, has a cargo box at the rear of the vehicle and is designed to carry no more than 200 pounds of cargo.

Section 4. SAME: PENALTY. Unless specifically provided for herein, a violation of this Ordinance shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, of the Council Grove Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

Section 5. SAME: DISPLAY OF SLOW-MOVING VEHICLE EMBLEM. (a) It shall be illegal to operate a golf cart or utility terrain vehicle on any public highway, street, road or alley within the corporate limits of the City unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle.

(b) For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(c) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

Section 6. SAME: INSURANCE REQUIRED; PENALTY: (a) Every owner of a golf cart or utility terrain vehicle shall provide liability coverage in accordance with Section 200 of the Council Grove Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of Section 200 of the Council Grove Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of golf carts and utility terrain vehicles.

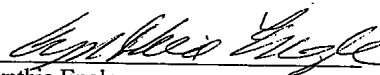
Section 7: SAME; REGISTRATION AND LICENSE; FEE; APPLICATION.
Before operating any golf cart or utility terrain vehicle on any public highway, street, road or alley within the corporate limits of the City, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made upon forms provided by the City and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 6 shall be furnished at the time of application for registration. The annual registration fee for a golf cart or utility terrain vehicle shall be \$50.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be nontransferable.

Section 8. OPERATION ON SIDEWALKS PROHIBITED. No golf cart or utility terrain vehicle shall be operated on the sidewalks within the City.

Section 9. REPEAL: Sections 114.4 and of the Council Grove Standard Traffic Ordinance, as adopted in Ordinance No. 2072 is hereby repealed.

Section 10. EFFECTIVE DATE: This Ordinance shall take effect and be in force upon its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL
ON THIS 6th day of August, 2012.


Cynthia Engle
Mayor

ATTEST:


Danny Matthews
City Clerk

