

1st Reading:
2nd Reading:

SPONSOR: HUELS

ORDINANCE NO. ____

BILL NO. 22-76

AN ORDINANCE ENACTING A NEW CHAPTER 383, GOLF CARTS, AND AMENDING SECTION 300.010, DEFINITIONS, OF THE MUNICIPAL CODE RELATED TO GOLF CARTS.

WHEREAS, at the September 8, 2022 Committee Meeting, the Board of Aldermen discussed enacting a new Chapter 383, Golf Carts and amending Section 300.010, Definitions, for terms related to Golf Carts, to provide regulations regarding Golf Carts on public streets; and

WHEREAS, the Board of Aldermen feels that creating a new Chapter 383, Golf Carts, and amending Section 300.010, Definitions, for terms related to Golf Carts will address safety concerns regarding Golf Carts on public streets; and

WHEREAS, the City has police powers, including pursuant to Chapter 67 RSMo., to enact laws and regulations for the safety, health, and general welfare of the City and its residents; and

WHEREAS, Section 304.034 RSMo., authorizes the Board of Aldermen to enact an ordinance authorizing persons to operate golf carts on public streets and to enact safety requirements for the same; and

WHEREAS, the Board of Aldermen now desires to enact a new Chapter 383, Golf Carts, and amend Section 300.010, Definitions, of the Municipal Code for terms related to Golf Carts.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:

Section 1. A new Chapter 383, Golf Carts, of the Municipal Code is hereby enacted as follows:

Chapter 383 Golf Carts

Section 383.010 Golf Cart and Street — Defined.

As used in this Chapter, the following terms shall mean:

GOLF CART

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Any vehicle propelled by an electric or gasoline engine with no less than three wheels in contact with the ground and is designed and manufactured for the operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour (304.034 RSMo.)

STREET

The entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel.

Section 383.020 General Regulations and Operations for Gold Carts.

- A. No person shall operate a Golf Cart in a careless or imprudent manner, or in any negligent manner which endangers any person or property, or unreasonably obstructs, hinders, or impedes lawful course of travel of any other Motor Vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- B. Every person operating a Golf Cart on a street of the City shall be subject to all of the duties and regulations applicable to a driver of a Motor Vehicle imposed by law, including, but not limited to, those laws pertaining to the possession and use of drugs and alcoholic beverages and operating a Motor Vehicle under the influence thereof and observing all traffic laws and local ordinances regarding the rules of the road, unless otherwise exempted in this Chapter
- C. A Golf Cart may be operated only on a designated street where the posted speed limit is thirty-five (35) miles per hour or less. No Golf Cart shall cross any street at an intersection where the street being crossed has a posted speed limit of more than forty-five (45) miles per hour.
- D. Only the number of people the Golf Cart is designed to seat may ride on any Golf Cart. No passengers shall ride in the utility bed or the bag well of a Golf Cart unless such area is properly equipped with a permanently mounted seat specifically designed for the carrying of passengers. No more than two (2) total persons per bench seat shall be allowed.
- E. No Golf Cart may be operated upon any private property without permission of the person with the right of possession of the property.
- F. No Golf Cart may be operated on any sidewalk, path, or walkway designated for use by pedestrians.

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Section 383.030 Rights And Duties Of Golf Cart Operators.

Every person operating a Golf Cart upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a Motor Vehicle as provided by Chapter 304, RSMo., and this Title, except as to special regulations in this Chapter, and except as to those provisions of Chapter 304, RSMo., and this Title, which by their nature can have no application, including but not limited to title, registration, and safety inspections.

Section 383.040 Riding To Right — Required For Golf Cart.

Every person operating a Golf Cart at less than the posted speed or slower than the flow of traffic upon a street shall ride as near to the right side of the street as safe, exercising due care when passing a standing Motor Vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another Motor Vehicle, or when on a one-way street.

Section 383.050 Golf Cart To Operate On The Shoulder of a Street, When.

A person operating a Golf Cart at less than the posted speed or slower than the flow of traffic upon a street may operate as described in Section 380.040 of this Chapter or may operate on the shoulder of the street.

Section 383.060 Penalty For Violation.

Any person violating any provision of this Chapter shall, upon conviction thereof, be adjudged guilty of an ordinance violation and punished as set out in Section **100.060** of this Code.

Section 383.070 License Required.

No person shall operate a Golf Cart on any street or road in this City unless the person has a valid license to operate a Motor Vehicle.

Section 383.080 Equipment Required.

Every Golf Cart operated on a street shall be equipped with:

1. At least one (1) rear view mirror and shall only be operated during daytime hours between sunrise and sunset unless properly equipped with operational headlights, taillights, brake lights, and mechanical turn signals. Headlights, taillights, and brake lights must emit light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at five hundred (500) feet.

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2. A horn or other device capable of emitting an audible warning signal.
3. A slow-moving emblem in conformity with Section 307.127 RSMo, or a bicycle safety flag which extends not less than seven feet above the ground, attached to the rear of the Golf Cart; the flag shall be dayglow colored and shall be triangular shaped, with an area not less than 30 square inches.
4. Type 1 or Type 2 Seatbelt Assembly conforming to 49 CFR 571.209 and Federal Motor Vehicle Standard 209 for each designated seating position.

Section 383.090 Insurance Required.

Golf Carts operating on streets pursuant to this Chapter shall be insured by a policy of insurance with coverage of not less than the statutory minimum established by the Missouri Department of Revenue for motor vehicles operating on the streets and highways of the State of Missouri. Such proof of insurance shall specifically list the Golf Cart as referenced by the serial or VIN number and year of model; and such proof of insurance shall be carried with the Golf Cart and produced upon request of any law enforcement officer.

Section 2. Section 300.010, Definitions, is hereby amended by enacting a new term for Golf Carts, as follows:

GOLF CART

Any vehicle propelled by an electric or gasoline engine with no less than three wheels in contact with the ground and is designed and manufactured for the operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour (304.034 RSMo.)

Section 3. Section 300.010, Definitions, is hereby amended by repealing the term for “Motor Vehicle” and enacting a new term for “Motor Vehicle”, as follows:

MOTOR VEHICLE

Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors, motorized bicycles and golf carts.

Section 4. This ordinance shall be in full force and effect after the date of its passage and approval.

PASSED this 22nd day of September, 2022.

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JOE MAURATH, MAYOR

APPROVED 22nd day of September, 2022.

JOE MAURATH, MAYOR

ATTEST:

Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Abstain:

Nays:

Absent:

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