

**ORDINANCE NO. 828**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE, IOWA, 2003, CHAPTER 78 PERTAINING TO GOLF CARTS**

**BE IT ENACTED** by the City Council of the City of Clear Lake, Iowa:

**SECTION 1. Sections Amended.** The Code of Ordinances of the City of Clear Lake, Iowa, 2003, Chapter 78 GOLF CARTS, is hereby amended to the following extent:

**78.01 (a). Definitions.** "Golf cart" means a four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf that is either electric powered or gas powered with an engine displacement of less than 351 cubic centimeters, and a total dry weight of less than 800 pounds.

**78.03 Riding on Golf Carts.** Occupancy shall not exceed the number of passengers designed for by the manufacturer. No one may stand in a golf cart while it is being operated.

**78.05. Prohibited Areas.**

1. **Streets.** Golf carts shall not be operated upon any City Streets with a posted speed limit of greater than 25 mph or any City streets or parts of any City streets listed below:
  - a. US HWY 18
  - b. Iowa HWY 122
  - c. 4<sup>th</sup> Avenue S., between S. 8<sup>th</sup> Street and the east corporate limits;
  - d. 8<sup>th</sup> Street from corporate limits to corporate limits;
  - e. Any street other than those that are paved with dust-free hard surfacing; and
  - f. However, golf carts may cross the aforementioned streets.
2. **Trails.** Golf carts shall not be operated on any recreational, bike or walking trail.
3. **Sidewalks.** Golf carts shall not be operated upon sidewalks.
4. **"Parking".** Golf carts shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk referred to as the "parking".
5. **City Parks and other land owned by the City of Clear Lake.** Golf carts shall not be operated in City parks or upon other city-owned land unless for a special event authorized by the City Council and the operator possess a valid City permit.
6. **Special Exemptions.** The Chief of Police is authorized to permit golf carts to operate on restricted City streets for certain special events.

**78.07. 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, the top of which shall be a minimum of five (5) feet above ground level.
3. Adequate brakes.
4. Rear view mirror – driver’s side.

**78.09. Parking Prohibited.** Golf carts shall not be parked overnight on City streets or alleys at any time.

**78.10. Speed Limit.** No golf cart shall be operated on any City street at a speed in excess of twenty-five (25) miles per hour. Posted speed limits must be followed in accordance with the Code of Iowa and the City of Clear Lake Code of Ordinances.

**78.11. Permits.** No person shall operate a golf cart on any public street or alley, for any purpose, unless the operator possesses a City of Clear Lake permit to operate a golf cart on City streets, issued by the Police Chief.

1. Golf cart owners may apply for a permit on forms provided by the Police Chief
2. The Police Chief shall not issue a permit until the owner/operator has provided the following:
  - a. Evidence that the operator is at least 18 years of age, and possesses a valid Iowa driver’s license.
  - b. Proof that owner and operator have liability insurance covering operation of golf carts on City streets in an amount not less than \$300,000 in coverage.
3. All permits shall be issued for a specific golf cart. Permit holders will be issued a number and a sticker to affix to the left side rear fender or similar component.
4. The fee for such permits shall be twenty-five dollars (\$25.00). Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31. The Chief of Police or his designee shall have the authority to waive permit fees for applications associated with special events.
5. The permit may be suspended or revoked upon finding evidence that the permit holder has violated the conditions of the permit or has abused the

privilege of being a permit holder. There shall be no refund of the permit fee. Should a permit be suspended or revoked, the owner or operator must receive a majority vote of the City Council to allow for reinstatement of an existing permit or issuance of a new permit.

**78.12. Penalty.** In addition to the suspension or revocation of the permit, a person who violated this chapter is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code. Schedule of City Fines:

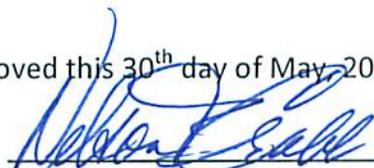
1. First Offense – Seventy-five dollars (\$75.00)
2. Second Offense and Subsequent – One Hundred dollars (\$100.00)

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 30<sup>th</sup> day of May, 2017, and approved this 30<sup>th</sup> day of May 2017.

  
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Nelson P. Crabb, Mayor

Attest:

  
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Jennifer Larsen, City Clerk

I certify that the forgoing was published as Ordinance No. 828 in the Clear Lake Mirror Reporter on the 7<sup>th</sup> day of June, 2017.

  
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Jennifer Larsen  
City Clerk

1st reading: May 30, 2017  
2nd reading: May 30, 2017  
Final reading: May 30, 2017