

Introduced: Sept. 13, 2022
Adopted: Pending
Effective: Pending

ORDINANCE NO. 832

AN ORDINANCE ADOPTED FOR THE PURPOSE OF AUTHORIZING AND REGULATING THE OPERATING OF GOLF CARTS ON CERTAIN STREETS WITHIN THE CITY OF ALMA AND PROHIBITING SAID OPERATION ON OTHER STREETS, AND PUBLIC SIDE WALKS, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR THE DISTRIBUTION OF PUBLIC FUNDS RESULTING FROM THOSE PENALTIES PURSUANT TO STATE STATUTE

The City of Alma Ordains:

Chapter 54 of the Ordinances of the City of Alma is amended by the addition of Article VIII, to read as follows:

Article VIII. Golf Carts

Section 1. As used in this Ordinance, "Golf Cart" means a vehicle designed for transportation while playing the game of golf.

Section 2. Street Closure.

The City Commission, by Resolution, and at its discretion, may close any city street to the operation of a Golf Cart, to protect the environment, or if the operation of a Golf Cart possess a particular and demonstrable threat to public safety.

Section 3. Areas prohibited for Golf Cart operation.

- a) A Golf Cart shall not be operated on any state trunkline or business loop (US-127) right-of-way. The operator of a Golf Cart may cross a public highway or designated street, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done in safety. The operator shall bring the Golf Cart to a complete stop before proceeding across a public highway, and shall yield the right-of-way to oncoming traffic.
- b) A Golf Cart shall not be operated on the Fred Meijer Heartland Trail.
- c) A Golf Cart shall not be operated on the Alma Riverwalk
- d) A Golf Cart shall not be operated on any public park; provided, however that nothing contained herein shall prohibit the parking of a Golf Cart in any designated parking area within or adjacent to any public park
- e) A Golf Cart shall not be operated in the Riverside Cemetery
- f) A Golf Cart shall not be operated on a public sidewalk constructed for the use of pedestrians.
- g) A Golf Cart may not be operated on any street within the City from one-half hour before sunset to one-half hour after sunrise.

Section 4. As set forth herein or otherwise provided by law, a Golf Cart meeting all of the conditions contained within this Ordinance may be operated on a street in the city from one-half hour after sunrise to one-half hour before sunset:

- 1) On the far right of the maintained portion of a street within the city.
- 2) At a reasonable and proper speed of no more than 15 mph or a lower posted speed limit
- 3) Being operated by a person not less than 16 years old, who is licensed to operate a motor vehicle, who complies with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- 4) In a manner which does not interfere with traffic on the road or street, not passing between lines of traffic, however passing on the left of traffic moving in his or her direction in the case of a two way street, or on the left or right of traffic in the case of a one way street in an unoccupied lane, is allowed, so long as it can be done safely.
- 5) While traveling single file except when overtaking or passing another Golf Cart
- 6) While displaying at least two head lamps that comply with MCL 257.685, and at least one tail lamp that complies with MCL 257.686.
- 7) With at least one exterior mirror mounted on the driver side of the Golf Cart, and either one exterior mirror mounted on the passenger side of the Golf Cart, or one interior mirror as required for low speed vehicles by 49 CFR 571.500
- 8) With brakes and a parking brake that comply with MCL 257.704
- 9) With safety belts that comply with MCL 257.710a, and that are used as required by Section MCL 257.710e
- 10) Wearing a crash helmet on his or her head, meeting the requirements of rules promulgated by the Department of State Police under MCL 257.658, unless the Golf Cart is equipped with a roof that meets or exceeds the standards for roof/crush resistance provided under 49 CFR 571.500

Section 5. Violation;fine.

Any person that violates this Article is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00, as well as the cost of damage to the environment, a street, county road, or highway, or public property as a result of the violation.

Section 6. Golf Cart fund.

The City Treasurer shall deposit all fines and damages collected under this Article to a fund to be designated as the Golf Cart Fund. The City of Alma City Commission shall appropriate revenue in the Golf Cart Fund as follows:

- 1) 50% to the City DPW for repairing damage to roads, and the environment that may have been caused by the Golf Cart, and for posting signs, indicating Golf Cart speed limits, or indicating whether roads are open or closed to the operation of Golf Carts
- 2) 50% to the City Police Department, for Golf Cart Enforcement and Training

Section 7. Effect of the Article.

This Article shall in no manner affect pending litigation, either civil or criminal, founded or growing out of an ordinance, resolution, order or parts thereof, hereby repealed, and this Article shall in no manner affect any rights, claims, privileges, immunities, or causes of action of the City, or other person, either civil or criminal, that may have already occurred, accrued, or grown out of any ordinance, resolution, order, or policy, or any part thereof, hereby repealed.

Section. 8. Separability. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Sec. 3. Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 9. Effective Date. This ordinance shall take effect and be in force 30 days from and after its enactment as provided by the City Charter.

Passed and approved by the City commission of the City of Alma, Michigan, in regular session, held _____, 2022.

We, the undersigned, Mayor and Clerk of the City of Alma, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance No. 832 of the City of Alma, Michigan, was introduced at a regular meeting of the City commission, held on September 13, 2022, and was thereafter passed during a regular meeting on _____, 2022, at least two weeks elapsing between the introduction and the enactment.

Dated at Alma, Michigan, this ____ day of _____, 2022.

Greg Mapes

Mayor

Sara Anderson

Clerk