

ORDINANCE NO. 1379_____

AN ORDINANCE AMENDING THE CITY CODE OF MOUNT PLEASANT, IOWA, CHAPTER 12, ENTITLED “MOTOR VEHICLES AND TRAFFIC” ADDING ARTICLE VI ENTITLED “GOLF CARTS AND OFF-ROAD UTILITY VEHICLES” TO REGULATE THE USE OF GOLF CARTS AND OFF-ROAD UTILITY VEHICLES, TO PROVIDE FOR REGISTRATION OF THE SAME, AND TO PROVIDE FOR ENFORCEMENT OF VIOLATIONS; AND AMENDING ARTICLE II ENTITLED “STOPPING, STANDING, AND PARKING” TO PROVIDE FOR ENFORCEMENT OF PARKING REGULATIONS PERTAINING TO GOLF CARTS AND OFF-ROAD UTILITY VEHICLES:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, IOWA:

Section 1. **AMENDMENT 1.** The City Code of Mount Pleasant, Iowa Chapter 12 “Motor Vehicles”, is hereby amended to add Article VI “Golf Carts and Off-Road Utility Vehicles” and to read as follows:

ARTICLE VI. – GOLF CARTS AND OFF-ROAD UTILITY VEHICLES

Sec. 12-120. – Purpose.

The purpose of this article is to provide for the health, safety, and welfare of users of public streets, pedestrians, and the general public by permitting and regulating the operation of golf carts and off-road utility vehicles (UTVs) on City public streets as authorized by Iowa Code Section 321.247.

Sec. 12-121. – Definitions

1. “Golf Cart” means a four-wheeled recreational vehicle that is intended by the manufacturer to be used for the transportation of persons and equipment in the sport of golf or for maintenance of golf courses, and that is not legal to operate on streets and roads in the State of Iowa by Iowa Code 321.247 unless approved by local jurisdictions. A golf cart is not an all-terrain vehicle or an off-road utility vehicle as defined by Iowa Code 321.1(4). The police department shall be permitted to determine if a recreational vehicle is a golf cart for the purposes of enforcing this article.
2. Off-Road Utility Vehicle or UTV. As defined in Iowa Code Chapter 321.1(47), off-road utility vehicle (UTV) means a motorized flotation-tire vehicle with not less than four and not more than eight low-pressure tires that is limited in engine displacement to less than one thousand five hundred cubic centimeters and in total dry weight to not more than one thousand eight hundred pounds and that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

Sec. 12-122. – Operation of Golf Carts and UTVs Permitted

Golf carts and UTVs may be operated on city streets as permitted and limited by this article and this chapter. State Code Reference: Iowa Code 321.247 and 321I.10

Sec. 12-123. – Registration Required

- (a) It shall be unlawful for a person to operate a Golf Cart and/or UTVs on City streets without first obtaining a valid certificate of registration issued by the Mount Pleasant Police Department.
- (b) Owners of Golf Carts and UTVs to be operated on City streets shall apply for a certificate of registration by completing a form furnished by the Mount Pleasant Police Department and providing all of the following information:
 - 1. For UTV's, proof that the UTV is currently registered with the Iowa Department of Natural Resources.
 - 2. The name, address, phone number, and email address (if applicable) of the owner.
 - 3. The make, model, year, and serial number of the Golf Cart or UTV
 - 4. A statement by the owner which verifies that the applicant understands all restrictions of the operation of Golf Carts and UTVs in the City.
 - 5. A statement by the owner which verifies that the owner will carry liability insurance as required by Iowa Code 321.20B.
 - 6. A statement by the owner which holds the city harmless for all damages or liabilities related to the operation of golf carts and UTVs on city streets.
 - 7. A statement by the owner which affirms that the owner does not have any unpaid city parking tickets on any vehicle, golf cart, or UTV.
 - 8. A statement that the owners has a valid driver's license issued by the State of Iowa.
- (c) The Mount Pleasant Police Department may, but shall not be required to nor shall it have the duty to, inspect the golf cart or UTV for compliance with this article before issuing a certificate of registration. If the information required to be provided on the application verified by the Mount Pleasant Police Department to be true and accurate, the applicant shall be issued a certificate of registration and registration sticker after paying the registration fee of twenty-five dollars (\$25).
- (d) All certificates of registration shall be valid only during the calendar year within which the certificate of registration was issued. Registration fees shall not be pro-rated for partial years. Certificates of registration may be renewed annually by paying the annual registration fee and by submitting a statement that the information provided on the original application remains accurate.
- (e) Certificates of registration issued in violation of this article or based on false information shall be invalid. Registration fees paid for invalid certificates of registration shall not be refunded.
- (f) Certificates of registration shall be carried on the Golf Car/UTV at all times and shall be provided to law enforcement officers on request. The registration sticker shall be adhered to the left rear of the Golf Cart or UTV. Golf Carts and UTVs shall not be operated without adhering said sticker. Stickers shall not be displayed if a certificate of registration expires or is revoked.
- (g) Information on certificates of registration shall not be limited to and shall include the following information:
 - 1. A unique identifying certificate of registration number.
 - 2. The name, address, phone number, and email address (if applicable) of the owner.
 - 3. The make, model, year, and serial number of the Golf Cart or UTV.
 - 4. The date of issue and the date of expiration.
 - 5. The required equipment listed in Sec. 12-124.

6. The rules of operation listed in Sec. 12-125.
7. The restrictions listed in Sec. 12-126.
8. The penalties listed in Sec. 12-127.

Sec. 12-124. – Required Equipment

- (a) Golf Carts and UTVs operated upon a city street shall be equipped with a standard slow-moving vehicle sign on the rear of the vehicle, a bicycle safety flag, and brake lights. State code reference: Iowa Code 321.247 and 321I.13

Sec. 12-125. – Operation

- (a) Golf Carts and UTVs shall be operated by licensed drivers age sixteen (16) or older.
- (b) Golf Carts and UTVs shall operate on city streets only from one-half (1/2) hour after sunrise to one-half (1/2) hour before sunset.
- (c) Golf Carts and UTVs shall not operate on city streets when weather conditions reduce visibility to less than five hundred (500) feet.
- (d) Golf Carts and UTVs shall not exceed a speed of twenty-five (25) miles per hour or the applicable speed limit required by this chapter, whichever is less.
- (e) Passengers of Golf Carts and UTVs shall remain seated in seats provided by the manufacturer while the vehicle is in operation on city streets or other approved areas on public property. The number of passengers shall not exceed the number of passengers intended by the manufacturer.

State code reference: Iowa Code 321.247

Sec. 12-126. – Restrictions

- (a) It shall be unlawful to operate a Golf Cart and/or UTV on the following primary road extensions through the city:
 - a. Broadway St
 - b. Grand Ave
 - c. Iris St
 - d. Jefferson St
 - e. Mapleleaf Dr east of Grand Ave
 - f. Washington St
 - g. Winfield Ave
- (b) Golf carts and UTVs shall be permitted to cross primary road extensions, except that Washington St may be crossed only at intersections controlled by traffic control devices (stop lights).
- (c) It shall be unlawful to operate a Golf Cart and/or UTV in city parks, cemeteries, or other city property except on improved roadways designated for use by the public.
- (d) It shall be unlawful to operate a Golf Cart and/or UTV on public sidewalks except at designated driveway and street crossings.
- (e) It shall be unlawful for Golf Carts and/or UTVs to tow any item.

State code reference: Iowa Code 321.247

Sec. 12-127. – Penalty

- (a) Unless another penalty is stated, a person who violates provisions specific to this article is guilty of a municipal infraction pursuant to Section 1-8.1 of this Code. Nothing in this section shall be construed to prohibit the City from establishing a written schedule of civil penalties to be imposed for violations in this section so long as such penalties are less than or within the acceptable range provided for in sec. 1-8.1.
- (b) In addition to penalties provided in this section, the certificate of registration for a Golf Cart or UTV which has been operated in violation of this article two (2) times in one (1) year shall be revoked for a period of one (1) year.
- (c) A person who operates a Golf Cart in violation of this Chapter not specific to this article shall be subject to the penalties provided in Sec. 12-2. Said violation of this chapter shall be cited by Chapter 12-2 followed by the specific subsection number of the state code Chapter 321 or 321L.
- (d) A person who parks a Golf Cart or UTV in violation of this chapter shall be subject to the applicable penalties therein.

AMENDMENT 2. The City Code of Mount Pleasant, Iowa Chapter 12 “Motor Vehicles”, Article II “Stopping, Standing, and Parking”, Section 12-59 “Violations” Subsection (a) is hereby repealed and amended to read as follows:

- (a) It shall be the duty of traffic officers so instructed to take the state vehicle tag number or city certificate of registration number (for Golf Carts and UTVs permitted by Article VI of this chapter) of all persons violating the provisions of this article and make complaint therefor. Any person who parks within the parking area in violation of this article and receives a ticket for violation of this article shall be subject to the following penalties as applicable:
 - (1) A ten-dollar (\$10) fine for all violations of this article unless otherwise specified
 - (2) A forty-dollar (\$40) fine for violations of sec. 12-46 “Electrical vehicle charging stations”
 - (3) A twenty-five-dollar (\$25) fine for violations of Sec. 12-36 “Parking on private property”
 - (4) A one hundred-dollar (\$100) fine for violations of Sec. 12-43 “Parking spaces for the handicapped”

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. **EFFECTIVE DATE.** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

DATED this _14th___ day of October_____, 2020.

Steven K. Brimhall, Mayor

The above Ordinance was passed and approved on the 14th____ day of
_October_____,

2020, and was signed by the Mayor on the 14th____ day of _October_____, 2020.

ATTEST:

Florence Olomon, Clerk