

**ORDINANCE NO. 2018 - 05**  
**CITY OF ALGONAC**  
**COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ALGONAC, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 42 OF THE CITY CODE OF ORDINANCES "TRAFFIC AND MOTOR VEHICLES," ARTICLE III "PARKING, STOPPING AND STANDING," AND ADOPT DIVISION 5, "GOLF CARTS."**

**THE CITY OF ALGONAC ORDAINS:**

**SECTION 1. AMENDMENT.**

Chapter 42, Article III, is amended to add Division 5, "Golf Carts," to read as follows:

**DIVISION 5. - GOLF CARTS**

**Sec. 42-130. - Purpose.**

These regulations are intended to secure the public peace, health and safety of the residents and property owners of the City of Algonac for the regulation of the use of golf carts on public roads within the corporate limits of the city and to provide penalties for the violation of these provisions.

**Sec. 42-131. - Definitions.**

*Driver license* means an operator's or chauffeur's license or permit issued by the secretary of state under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL Section 257.301 to MCL Section 257.329, as amended, to operate a vehicle, whether or not conditions are attached to the license or permit.

*Golf cart* means a vehicle designed for transportation while playing the game of golf.

*Maintained portion* means a road improved, designated or ordinarily used for vehicular traffic.

*Operate* means to ride in or on, or be in actual physical control of the golf cart.

*Operator* means a person who operates or is in actual physical control of the golf cart.

*Street* means a road, roadway, street or right-of-way within the City of Algonac street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

*Sunset* and *sunrise* as determined by the National Weather Service on any given day.

#### **Sec. 42-132. - Operation of golf carts on city streets.**

A person may operate a golf cart on city streets, subject to the following restrictions:

- (a). A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (b). The operator of a golf cart shall comply with the signal requirements of MCL Section 257.648, as amended, that apply to the operation of a vehicle.
- (c). All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- (d). The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (e). A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (f). A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the city, using the most direct line of crossing.
- (g). Where a usable and designated path for golf carts is provided adjacent to a road or street, a person operating a golf cart shall be required to use that path. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.

- (h). A person operating a golf cart shall not pass between lines of traffic, but may pass 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 an unoccupied lane, in the case of a one-way street.
- (i). A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 30 miles per hour except to cross that roadway or street.
- (j). A golf cart shall not be operated on the streets of the City one-half hour before sunset or one-half hour after sunrise.
- (k). An operator or a passenger in a golf cart is not required to wear a crash helmet.
- (l). A golf cart shall not be used to carry more persons at one time than the number for which it is designed.
- (m). A golf cart operated on a street of the city is not required to be registered under the Michigan Vehicle Code for purposes of Section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL Section 500.3101, as amended.
- (n). A golf cart shall not be operated during weather events with snow and/or ice on the ground.
- (o). Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways or parks.
- (p). Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.
- (q). This section does not apply to a police officer, city officials, employees, contractors or volunteers operating a golf cart in the performance of city duties.

**Sec. 42-133. - Parking regulations.**

The parking, stopping, and standing regulations provided in the City Code, which may be adopted by reference therein, shall also apply to golf carts operated in the city, as if they are motor vehicles under those provisions.

**Sec. 42-134. - Violations and penalties.**

A person violating any of the provisions of this division shall be deemed responsible for a municipal civil infraction and subject to the penalties set forth in City Code Section 1-14(c).

**Secs. 42-135—42-140. - Reserved.**

**SECTION 2. SEVERABILITY**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH**

All Ordinances of the City of Algonac or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

**SECTION 4. RATIFICATION**

All other provisions of the code of Ordinances of the City of Algonac, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

**SECTION 5. PUBLICATION**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Algonac, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

**SECTION 6. EFFECTIVE DATE**

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of Algonac.

**ORDINANCE DECLARED ADOPTED.**



Michael Bembas, Mayor Pro Tem  
City of Algonac, Michigan

**CERTIFICATION**

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Algonac, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 16th day of October, 2018, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

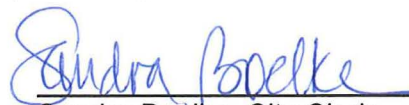
Members Present: Bembas, Blair, Martin, Osieczonok, Stoneburner, Thompson  
Members Absent: Tesch

It was moved by Member Stoneburner and supported by Member Thompson to adopt the Ordinance.

Members voting yes: Bembas, Blair, Martin, Osieczonok, Stoneburner & Thompson

Members voting no: none

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance book of the City of Algonac.



Sandra Boelke, City Clerk  
City of Algonac, Michigan

INTRODUCED: October 2, 2018  
ADOPTED: October 16, 2018  
PUBLISHED: October 24, 2018  
EFFECTIVE: November 3, 2018