

ORDINANCE NO. 828

AN ORDINANCE RENUMBERING AND AMENDING CERTAIN SECTIONS IN CHAPTER 48 OF THE MUNICIPAL CODE

WHEREAS, Section 349.18(1)(b)(1m) of the Wisconsin Statutes permits the city to adopt an ordinance regulating and allowing the operation of golf carts on public roads that have a speed limit of 25 miles per hour or less, and located in the city's territorial boundaries; and

WHEREAS, Section 349.18(1m)(d) allows for an ordinance to include a definition of the term "golf cart".

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 48-17 of the Municipal Code is hereby renumbered to Section 48-18.

SECTION 2: Section 48-16 of the Municipal Code is hereby renumbered to Section 48-17.

SECTION 3: Section 48-16 of the Municipal Code is hereby created to read as follows:

Sec. 48-16. Operation of golf carts permitted.

- (a) *Definition*. "Golf cart" means a vehicle designed and manufactured with limited speed capabilities that does not exceed 20 miles per hour on a paved, level surface that is designed and intended to convey one or more persons. Modifications to allow extra seating in the area originally designed to carry equipment is permitted. Utility terrain vehicles and all-terrain vehicles are not golf carts.
- (b) *Requirements*. Golf carts shall be four-wheeled and have a gross vehicle weight at rest of less than 3,000 pounds. Golf carts shall also have all of the following:
- (1) Head lamps.
 - (2) Front and rear turn signals.
 - (3) Stop lamps.
 - (4) One reflex reflector on each side of the golf cart as far to the rear as practicable.
 - (5) A slow-moving vehicle sign on the rear of the golf cart.
 - (6) An exterior mirror mounted on the driver's side and passenger side.
 - (7) An interior rearview mirror.
 - (8) A parking brake.
 - (9) A vehicle registration sticker.
- (c) *Permitted users of golf carts*. To operate a golf cart on city streets, the operator shall have a valid Wisconsin driver's license or probationary driver's license. The golf cart shall also be covered by minimum liability insurance in the amount \$100,000 per person, \$300,000 per accident, and \$5,000 medical.

(d) *Operation.* Operation of a golf cart within the city is permitted on roadways and alleys located within the city's territorial boundaries upon compliance with all of the following:

- (1) A golf cart may be operated on any city road with a speed limit of 25 miles per hour or less.
- (2) A golf cart shall not be operated on a municipal sidewalk, recreational trail, or walking path.
- (3) A golf cart shall not be operated on a city road during inclement weather, such as snow, ice, fog, or when visibility is 250 feet or less.
- (4) A golf cart shall not be operated in excess of the posted speed limit.
- (5) A golf cart shall be operated in compliance with Wis. Stat. § 349.18(1m)(c).
- (6) Headlamps shall be illuminated while operating a golf cart.
- (7) Golf carts shall operate in single file on the far-right side of the roadway.
- (8) Golf carts shall yield the right-of-way to overtaking motor vehicles.
- (9) No item shall be towed by a golf cart.
- (10) The operator and all passengers shall be seated on a built-in padded seat when a golf cart is moving.
- (11) The number of passengers shall not exceed the golf cart's seating capacity.
- (12) Golf carts may only be parked in the same manner and at the same locations designated for the parking of motor vehicles.
- (13) The stopping, standing, or parking of golf carts that impedes the flow of traffic, pedestrian walkways, or a passageway is prohibited.
- (14) No child may be a passenger of a golf cart that is operated on a public road if the child's presence would violate any age, size, or child-restraint equipment required by state or federal laws.
- (15) Golf carts shall be operated in compliance with all federal, state, and local laws, including but not limited to, this chapter and Wis. Stat. Ch. 345.

(e) *Registration.* Prior to operating a golf cart on a city road, the golf cart shall be registered with the city clerk. There shall be an annual registration fee of \$25.00. The registration sticker shall be affixed to the slow-moving vehicle sign on the golf cart. Registration is not required if a golf cart is being operated in connection with a parade, a festival, or other special event and the operator has obtained the sponsor's consent to operate the golf cart during such event.

(f) *Enforcement.* Any person who violates this section shall be subject to a penalty of not less than \$50.00 nor more than \$100.00, and the potential revocation of the golf cart's registration. A violation of this section shall constitute a non-criminal infraction enforceable by all duly authorized city law enforcement officers.

SECTION 4: Section 48-14(g) of the Municipal Code is hereby repealed and recreated to read as follows:

(g) *Enforcement.* Any person who violates any provision of this section shall be subject to a forfeiture as provided in section 48-17.

SECTION 5: The sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or

portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

SECTION 6: All ordinances or parts of ordinances conflicting with or contravening the provisions of this Ordinance are hereby repealed.

SECTION 7: This Ordinance shall take effect upon passage and posting as provided by law.

Passed and adopted this 18th day of March, 2024.

CITY OF DELAFIELD

By: _____
Kent Attwell, Mayor

ATTESTED:

Molly Schneider
City of Delafield, Clerk



Date Adopted: March 18, 2024
Date Published: March 21, 2024
Effective Date: March 22, 2024