

**CITY OF SWARTZ CREEK
ORDINANCE NO. 452**

An ordinance to amend Chapter 18 of the Code of Ordinances Section 18-24.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Chapter 18 of the Code of Ordinances of the City of Swartz Creek.

Chapter 18 of the City of Swartz Creek Code of Ordinances, section 18-24, are amended as follows:

ARTICLE II. MOTOR VEHICLE TRAFFIC CODE

Sec. 18-24. GOLF CART REGULATION

(a) PURPOSE AND INTENT

The City of Swartz Creek ("City") recognizes a compelling interest in establishing regulations for operating Golf Carts under MCL 257.657a that grants the City Council the authority to adopt an ordinance authorizing the operation of Golf Carts within the City, which promotes the health, safety, and welfare of the citizens.

(b) DEFINITIONS

- I. "Driver's license" means a valid operator or chauffeur's license issued to an individual by the Michigan Secretary of State or other valid State issued driver's license to operate motor vehicles.
- II. "Golf cart" means a 4-wheeled vehicle designed for transportation while playing the game of golf and is not capable of excessive speeds. Off-road vehicles, such as Gators, off-road vehicles (ORV), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts for the purposes of this ordinance.
- III. "Operate" means to ride in or on, and be in actual physical control of the operation of a Golf Cart.
- IV. "Operator" means a person who operates or is in actual physical control of the operation of a Golf Cart.
- V. "Road" or "County Road" means a county primary road or county local road as described in section 5 of 1951 PA 51, being MCL 247.655.
- VI. "Far Right of the Maintained Portion of the County Road" indicates the shoulder of the road when the roadway is improved by pavement, tar and chips, concrete, or other similar materials or indicates the extreme right of the open portion of the right-of-way when the roadway is not improved by pavement, tar and chips, concrete, or other similar materials.

(c) GOLF CART OPERATION

- I. A person shall not operate a Golf Cart on any street unless they are at least 16 years old and possess a Driver's license.
- II. While operating a Golf Cart a person must signal by using the hand and arm as follows:
 - i. For a left turn, the operator shall extend his or her left hand and arm horizontally.
 - ii. For a right turn, the operator shall extend his or her left hand and arm upward.
- III. 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 a vehicle proceeding in the same direction.
- IV. A person shall not operate a Golf Cart on a state trunk line highway or on any roads identified by resolution of City Council.
- V. 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 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.
- VI. A Golf Cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- VII. A Golf Cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a state trunk line highway or a highway or street with a speed limit of more than 30 miles per hour except to cross that state trunk line highway or highway or street.
- VIII. A Golf Cart shall not be operated on a state trunk line highway or the streets of the City during the time from ½ hour before sunset to ½ hour after sunrise.
- IX. A Golf Cart shall not be operated on any street unless the Golf Cart possesses functioning brake lights.
- X. A Golf Cart operated on a street of the City under this section is not required to be registered under this act for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.

(d) VIOLATIONS

A person who violates this Ordinance shall be responsible for a civil infraction, and shall pay a fine of up to \$500.00, and in addition may be charged with and ordered to pay the cost of full restitution for damages to the environment, a road, or any other property resulting from that person's operation of a Golf Cart.

(e) SEVERABILITY

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

Section 2. Effective date.

This Ordinance shall take effect twenty (20) days following publication.

At a regular meeting of the City Council of Swartz Creek held on the 24th day of May, 2021, Councilmember Henry moved for adoption of the ordinance and Councilmember Fountain supported the motion.

YES: Fountain, Florence, Gilbert, Hicks, Krueger, Pinkston, Henry.

NO: None. Motion Carried.

The Mayor declared the ordinance adopted.



David Krueger

Mayor

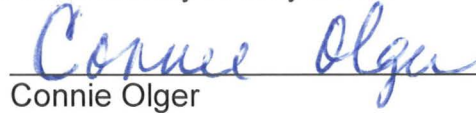


Connie Olger

Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. 452 which was enacted by the Swartz Creek City Council at a regular meeting held on the 24th day of May 2021.



Connie Olger

City Clerk

