ORDINANCE NO. 587

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING CHAPTER 12.69 OF TITLE 12 OF THE LA QUINTA MUNICIPAL CODE RELATED TO GOLF CARTS

WHEREAS, Chapter 12.69 of Title 12 of the La Quinta Municipal Code relates to golf carts; and

WHEREAS, the City Council received updates on the golf cart program regulations and map of routes and paths at the August 4, 2020 and October 6, 2020 meetings, and after review and consideration of this item, the City Council recommended amendments to the golf cart regulations to encourage the use of golf carts as a safe alternate to conventional automobile use, and to connect residential and activity centers; and

WHEREAS, Chapter 12.69 of Title 12 of the La Quinta Municipal Code establishes standards and requirements for the implementation of the golf cart transportation plan in furtherance of the 2035 General Plan, adopted by the City Council at their regular meeting on February 19, 2013.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. Chapter 12.69 shall be amended as written in "Exhibit A" attached hereto and incorporated by this reference.

SECTION 2. The City Council does hereby grant the City Clerk the ability to make minor amendments to "Exhibit A" to ensure consistency of all approved text amendments prior to the publication in the La Quinta Municipal Code.

SECTION 3. **EFFECTIVE DATE:** This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. **POSTING:** The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

SECTION 6. **SEVERABILITY:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

PASSED, APPROVED and **ADOPTED**, at a regular meeting of the La Quinta City Council held this 15th day of December, 2020 by the following vote:

AYES: **Council Members Fitzpatrick, Peña, Radi, Sanchez, Mayor Evans**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Linda Evans
LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

MONIKA RADEVA, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

EXHIBIT A

Chapter 12.69 GOLF CARTS AND LOW SPEED VEHICLES

12.69.010 Purpose and intent.

The California Streets and Highways Code Sections 1950 through 1961, authorize local jurisdictions to establish golf cart and low speed vehicle transportation plans within their boundaries, under certain conditions and with certain requirements. The city has established the golf cart transportation plan in its general plan and intends, by the addition of this chapter of the municipal code, to establish standards and requirements for the implementation of the golf cart and low speed vehicle transportation plan. (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

12.69.020 Definitions.

As used in this chapter, the following words and phrases shall have the following meaning:

"City" means the city of La Quinta.

"Golf cart" means a four-wheeled electric motor vehicle with an unladen weight of less than one thousand three hundred pounds, which is designed to be, and is operated at not more than twenty-five miles per hour, and is designed to carry golf equipment and no more than two persons, including the driver.

"Low speed vehicle" means a four-wheeled electric or gas powered vehicle with a gross vehicle weight of less than three thousand pounds, and is operated at not more than twenty-five miles per hour. Neighborhood electric vehicles are also known as low speed vehicles. Low speed and neighborhood electric vehicles can be designed to carry more than two passengers, including the driver.

"Golf cart paths" or "golf cart routes" means all city-owned travel ways that now allow, or are added in the future as allowable golf cart and low speed vehicle travelways, including roadways.

There shall be three categories of golf cart paths or routes:

1. Class I golf cart paths provide an area separate from the roadway used by automobile traffic for shared one-way or two-way golf carts, low speed vehicles, bicycles, pedestrians, and equestrians.

2. Class II golf cart paths provide a striped eight-foot lane for one-way golf cart, low speed vehicle, and bicycle travel on a street or highway.

3. Class III golf cart paths provide for shared use with automobile and bicycle traffic. Class III paths are established by placing golf cart route signs along roadways with speed limits of twenty-five miles per hour or less in order to link them to Class I or Class II paths.

"Golf cart path or route" means the map as it is revised from time to time depicting routes and crossings that exist or will be constructed, posted and designated for use by golf carts and low speed vehicles. (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

12.69.030 Minimum design criteria for golf carts and low speed vehicles.

All golf carts and low speed vehicles traveling on any golf cart path in the city must meet the following minimum design criteria:

A. The golf cart or low speed vehicle may be electrically or gas powered.

B. The golf cart or low speed vehicle must be equipped and safely operated with all of the following equipment:

1. Red reflectors;
2. Parking brake;
3. Horn;
4. Headlights, brake lights and rear lights;
5. Front and rear turn signal indicator lights;
6. Windshield;
7. Seat belts;
8. Mirror combination (left and right side mirrors, or left and rear mirrors, or multi-directional cross bar mirror) and unobstructed view to the rear from the driver's seat (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

12.69.040 Minimum safety criteria for operation of golf cart and low speed vehicle.

All golf cart and low speed vehicle operators operating golf carts and low speed vehicles on any golf cart path in the city must conform to the following operator requirements and safety criteria:

A. Golf cart operators must be licensed drivers in the state of California with valid California driver's license, or have a valid driver's license issued by a jurisdiction in accordance with Vehicle Code Sections 12502 through 12505.

B. Golf cart operators must comply with the financial responsibility requirements (insurance) established pursuant to Chapter 1 (commencing with Section 16000) of Division 7 of the California Vehicle Code.

C. In addition to the requirements in Section 12.69.040 A. and B, above, low speed vehicle operators shall be equipped with a vehicle identification number (VIN) and comply with requirements pursuant to Federal Motor Vehicle Safety Standard No. 500 (49 CFR 571.500).

D. Golf cart operators must maintain the golf cart in a safe condition and be properly loaded to conform with CVC Section 24002.

F. Golf cart and low speed vehicle operators may only travel in those golf carts and low speed vehicles that meet the minimum design criteria required by Section 12.69.030.

G. Golf carts and low speed vehicles are limited to daytime operation and are permitted on public streets only during the time period between one hour prior to sunrise and one hour after sunset.

H. Both driver and passenger of golf cart and low speed vehicle must wear safety belts at all times while the golf cart and low speed vehicle are being operated on Class I, II, or III golf cart paths.

I. Golf cart and low speed vehicle operators must yield the right-of-way to pedestrians, bicyclists, and equestrians.

J. Golf cart and low speed vehicle operators may only travel on designated golf cart routes or along streets with speed limits of twenty-five miles per hour or less.

K. Golf cart and low speed vehicle operators may not travel on or along streets with speed limits in excess of twenty-five miles per hour except on designated golf cart routes, and shall only cross at controlled intersections as designated on the golf cart route map.

L. Golf carts and low speed vehicles modified by removing any of the above safety equipment or a modification that in any way creates an unsafe vehicle will be subject to any violations that apply under the California Vehicle Code. Should a golf cart or low speed vehicle be impounded pursuant to a violation under the State Vehicle Code, the registered owner shall be subject to any regulations imposed by the impounding authority pursuant to Section 22850.5 of the California Vehicle Code.

M. No person shall operate or move a golf cart or low speed vehicle upon a sidewalk except (1) those persons who in the course of their employment by a state, federal, or local government, (2) school district maintenance crew or personnel, (3) homeowner association maintenance crew or personnel, or (4) persons upon a sidewalk that is designated as a golf cart path. (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

12.69.060 Golf cart routes.

The city manager or designee shall have the authority to add or delete golf cart routes as the need arises or as conditions change in accordance with this chapter. (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

12.69.070 Enforcement of golf cart plan.

A. Any person operating a golf cart or low speed vehicle in the city in violation of this chapter is guilty of an infraction punishable as set forth in LQMC Sections 1.01.200 through 1.01.250 as applicable or as permitted by the California Vehicle Code.

B. The city council finds and determines that the city shall provide law enforcement for the golf cart plan and enforce the rules and regulations of this chapter of the city of La Quinta Municipal Code, the Streets and Highways Code (Division 2.5, Chapter 6, Sections 1950 through 1961) and Section 21716 of the California Vehicle Code. The passage of the ordinance codified in this chapter enables the city to enforce this program's provisions not found in the California Vehicle Code. (Ord. 559 § 1, 2017; Ord. 474 § 1, 2009)

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 587 which was introduced at a regular meeting on the 1st day of December, 2020, and was adopted at a regular meeting held on the 15th day of December, 2020, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2015-023.

MONIKA RADEVA, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, MONIKA RADEVA, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on December 16, 2020, pursuant to Council Resolution.

MONIKA RADEVA, City Clerk
City of La Quinta, California