

**CITY OF KING CITY
ORDINANCE NO. 0-08-06**

**AN ORDINANCE RELATING TO OPERATION OF GOLF CARTS, LOW-SPEED
UTILITY VEHICLES AND ALTERNATIVE TRANSPORTATION VEHICLES ON
MUNICIPAL ROADS, AND AMENDING KING CITY MUNICIPAL CODE SECTION
10.04.020, REPEALING KING CITY CODE SECTION 10.04.080 AND ADDING A NEW
KING CITY MUNICIPAL CODE SECTION 10.04.085**

The City of King City ordains as follows:

Section 1. King City Municipal Code Section 10.04.020 is hereby amended to read as follows: (underlined text is added)

“10.04.020 Definitions.”

In addition to those definitions contained in the Oregon Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

“Alternative Transportation Vehicle” means rollerblades, roller-skates, skate boards, motorized mini-bikes, go-carts (both motorized and mechanical), skis, toboggans, sleds, and other motorized devices or non-specific vehicles.

“Automobile” means every vehicle designed, used or maintained primarily as a private passenger vehicle and having a gross weight of less than six thousand pounds.

“Bicycle” means a vehicle that:

1. Is designed to be operated on the ground on wheels;
2. Has a seat or saddle for use of the rider;
3. Is designed to travel with not more than three wheels in contact with the ground;
4. Is propelled exclusively by human power; and
5. Has every wheel more than fourteen inches in diameter or two tandem wheels either of which is more than fourteen inches in diameter.

“Bus stop” means a space on the edge of a road designated by sign for use by buses for loading and unloading passengers.

“Combined operation” means the ability for golf carts and other motor vehicles to safely be operated on the same public roadway.

“Daylight hours” means one-half hour prior to sunrise and one-half hour after sunset.

“Eligible operator” means a person sixteen years or older who possesses or is eligible to possess a valid drivers license issued by a state or a person who has a disability golf cart permit as provided for in ORS 807.210 (2007).

“Golf Cart” means any motor vehicle that:

1. Has not less than three (3) wheels in contact with the ground;
2. Has an unloaded weight of less than 1300 pounds;
3. Is designed to be operated at no more than fifteen (15) miles per hour; and
4. Is designed to carry golf clubs and no more than two persons.

“Holiday” means New Year’s Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the council to be a holiday.

“Loading zone” means a space on the edge of a road designed by sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.

“Locate” means to place or commit to be placed any object, matter or vehicle upon any public road within the City.

“Low speed utility vehicle” means any three or four wheeled vehicle powered manually, by an electric motor or gasoline or diesel engine that has a top speed of not more than 25 MPH and is normally used for transport or in utility work, such as but not limited to landscaping, property maintenance, and the transport of materials and tools required to carry out such defined tasks.

“Moped” means a vehicle, including any bicycle equipped with a power source, other than an electric assisted bicycle as defined in ORS 801.258 or a motor assisted scooter as defined in ORS 801.348, that complies with all of the following:

1. It is designed to be operated on the ground upon wheels;
2. It has a seat or saddle for use of the rider;
3. It is designed to travel with not more than three wheels in contact with the ground; and
4. It is equipped with an independent power source that:
 - a. Is capable of propelling the vehicle, unassisted, at a speed of not more than 30 miles per hour on a level road surface; and

b. If the power source is a combustion engine, has a piston or rotor displacement of 35.01 to 50 cubic centimeters regardless of the number of chambers in the power source.

5. It is equipped with a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the system is engaged.

“Motor assisted scooter” means a vehicle that:

1. Is designed to be operated on the ground with not more than three wheels;
2. Has handlebars and a foot support or seat for the operator’s use;
3. Can be propelled by motor or human propulsion;
4. Is equipped with a power source that is incapable of propelling the vehicle at a speed of greater than 24 miles per hour on level ground; and
 - a. If the power source is a combustion engine, has a piston or rotor displacement of 35 cubic centimeters or less regardless of the number of chambers in the power source; or
 - b. If the power source is electric, has a power output of not more than 1,000 watts.

“Motor vehicle” means every vehicle that is self-propelled or designed for self-propulsion, including tractors, fork-lift trucks, motorcycles, golf carts, motorized wheelchairs and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of the state.

“Motorcycle” means any self-propelled vehicle other than a moped or farm tractor that:

1. Has a seat or saddle for use of the rider;
2. Is designed to be operated on the ground upon wheels; and
3. Is designed to travel with not more than three wheels in contact with the ground.

“Motorized Wheelchair” means a low-powered motorized or mechanically propelled vehicle designed specifically for use by a person with a physical disability.

“Nonroad area” means any area that is not a road, or a road which is closed to off-road vehicles and posted as such; except that areas commonly held open to vehicular use, such as parking lots, shall not be considered off-road areas.

“Object” means any inanimate object or thing other than a vehicle or automobile.

“Off-road vehicle” means every self-propelled motor vehicle designed or capable of traversing on or over natural terrain, including but not limited to snowmobiles, minibikes, motorcycles, four-wheel drive trucks, pickups, all-terrain vehicles, jeeps, half-trucks, helicopters and automobiles.

The definition of off-road vehicles does not include, unless used for purposes prohibited by this title, farm vehicles, nor does it include military, fire, emergency or law enforcement vehicles used for legal purposes.

“Owner” means, when referring to the owner of the vehicle:

1. The person who holds the certificate of title and the registration for a vehicle and who is entitled to possession and use of the vehicle; or
2. If the certificate of title, registration and right to possession and use of a vehicle are in different persons, the person, other than a security interest holder or lessor, entitled to the possession and use of the vehicle under a security agreement or a lease that has a term of ten or more successive days.

“Park” or “parking” means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers.

“Pedestrian” means any person afoot or confined to a wheelchair.

“Person” means a natural person, firm, partnership, association or corporation.

“Police officer” means any person authorized directly or by contract to provide police services for the City.

“Road” means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

“Taxicab stand” means a space on the edge of a road designated by sign for use by taxicabs.

“Traffic lane” means that area of the road used for the movement of a single line of traffic.

“Use Permit” means a permit, issued by the City of King City Police Department, to a golf cart that is used on the roadways of King City.

“Vehicle” means any device in, upon or by which any person or property is or may be transported or drawn upon a public street including vehicles that are propelled or powered by any means, including bicycles; i.e., boats, trailers, campers, recreational vehicles, or vans.

Section 2. King City Municipal Code Section 10.04.080 is hereby repealed in its entirety.

Section 3. King City Municipal Code is hereby amended by adding a new Section 10.04.085 as follows:

“10.04.085 Non-standard Vehicle Uses, Penalties.”

A. Golf Cart Operation.

1. Golf carts may be operated during daylight hours on the roads located in and/or maintained by the City of King City as delineated: the roads bounded by SW Beef Bend Road on the North, SW 131st Avenue on the West, SW Fischer Road on the South and Pacific Highway (State Highway 99) on the East.
 - a. No person shall operate a golf cart on any of the following roads:
 - SW Beef Bend Road
 - SW 131st Avenue
 - SW Fischer Road
 - Pacific Highway / Oregon Hwy 99W
 - Any City road West of and including SW 131st Avenue
 - Any City road South of SW Fischer Road
 - The area of King City named Bedford Glen, on SW Jordan Way
 - SW Fitzwilliam, East of SW 131st Avenue

2. No person shall operate a golf cart on any sidewalk or other walkway designated for pedestrian usage.
 - a. This prohibition does not apply to cart paths or other such pathways on a golf course, or to any pathway marked to allow golf cart passage.
3. Only eligible operators, as defined in Section 10.04.020, may operate golf carts on the designated roads within King City.
4. Operators shall obey the rules of the road for drivers set forth in ORS 811.260-811.740, including but not limited to, the following:
 - a. Carts shall be operated on the right side of the roadway, giving way to faster moving vehicles.
 - b. Carts shall signal all turns and stops with either mechanical devices or by hand.
5. No golf cart shall be operated on City designated roads unless it displays an approved slow moving vehicle emblem as described in ORS 815.060 and OAR 735-114-0020.
6. No golf cart shall be operated on City designated roads unless it displays a use permit issued by the King City Police Department.
7. All roads designated by the City for combined operation shall be clearly posted. Golf carts may be operated only on such designated and posted roads.
8. The operation of a golf cart on a City road shall be the responsibility of the operator. The operator and owner of the golf cart shall assume all risks and liabilities resulting from the operation of the golf cart. The operator and owner shall hold the City of King City harmless of any action, injury or damage arising from the operation of a golf cart on a City road.

B. Low-Speed Utility Vehicles.

1. Low-speed utility vehicles, as defined in Section 10.04.020, shall be operated only on roads and in a manner consistent with rules of the road contained in ORS 811.260–811.740.

2. No person shall operate a low-speed utility vehicle on any public sidewalk, pathway or other byway designated for pedestrian use, except during an emergency situation or a situation requiring immediate response to protect property or people.
3. No person shall operate a low-speed utility vehicle unless it displays the approved slow moving vehicle emblem as defined in ORS 815.060 and OAR 735-114-0020.
4. Only eligible operators, as defined in Section 10.04.020, shall be allowed to operate low-speed utility vehicles.
5. No person shall operate a low-speed utility vehicle unless the vehicle displays a use permit issued by the King City Police Department.

C. Alternative Transportation Vehicle.

1. No person shall operate an alternative transportation vehicle, as defined in Section 10.02.020, on any public sidewalk, pathway, or other byway designated for pedestrians.
2. No person shall operate an alternative transportation vehicle in violation of the applicable provisions of ORS 811.260–811.740, nor shall operation of such vehicle interfere with the operation of other vehicles.
3. Operators of rollerblades and skate boards who are less than sixteen (16) years of age and operating on a public road shall wear a helmet.

D. Crossing Private Property.

No operator of vehicles defined in this Chapter shall proceed from one street to another street by crossing private property, unless the operator has received authorization from the involved property owners.

E. Mopeds and Motorcycles.

The provisions of ORS 814.200–814.340 (2007) of the Oregon Motor Vehicle Code are adopted by reference and made a part of this Chapter.

F. Bicycles, Motorized Wheelchairs and Motor Assisted Scooters.

The provisions of ORS 814.400-814.536 (2007) of the Oregon Motor Vehicle Code are adopted by reference and made a part of this Chapter.

G. Penalty

Violations of Sections 10.04.085 A-D are municipal code violations as provided by Section 1.12.010 of the King City Municipal Code. Violations are punishable by a fine that shall not be less than \$20.00 nor exceed \$100.00 for each incident.

Violations of Sections E& F shall be punishable, upon conviction, according to the appropriate adopted sections of the Oregon Motor Vehicle Code.

Adopted this ____ day of _____ 2008.

The City of King City

By _____
Mayor

Attest:

By _____
City Recorder