

**ORDINANCE NO. 2047**  
**AN ORDINANCE CREATING CHAPTER 11.39 OPERATION OF GOLF CARTS ON**  
**PUBLIC ROADS**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 11.39 is hereby created to read as follows:

11.39.010 – Operation of Golf Carts on Public Roads

(a) Definitions

1. Golf Cart – The term “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 are allowed.
2. Public Roads – The term “public roads” is defined as any City road, street, or highway located within the City boundaries designed to accommodate motor vehicles. State and County public roads, streets and highways are excluded.

(b) Operation and Use

1. Golf Carts may be operated upon City public roads as follows:

All City of Whitewater roads (except Business Highway 12, Highway 59 and Janesville Street) with a speed limit of 25 miles per hour or less. Golf carts may cross Business Highway 12, Highway 59 and Janesville Street at intersections.

(c) Registration

1. No golf cart may be operated on any public street within the City of Whitewater unless the golf cart has first been registered with the City of Whitewater City Clerk as required herein. The registration shall be valid for (3) three years and renewed thereafter in accordance with the provisions of this section. To evidence the registration, the owner shall be issued a permit which shall be displayed in a prominent, visible place on the rear fender of the golf cart. The permit may contain a registration number assigned for the particular golf cart and may contain an expiration date.
2. An application for registration shall be made to the City of Whitewater City Clerk, or his or her designee, on forms provided by the City of Whitewater. The application may, among other things, require the owner’s name, street address, mailing address, a phone number, the make, model and identification or serial number of the golf cart, proof of insurance and any such other information as may be reasonably required.

(d) Restrictions

1. No persons shall operate a golf cart on the designated public roads within the City of Whitewater without a valid driver's license issued in his or her state.
2. All golf carts operating under this Ordinance must be equipped with adequate functioning brakes, reliable and accurate steering apparatus, safe and proper tires, rearview mirror, red reflectors/or tape on front and rear bumpers.
3. Golf Carts may only be operated on designated public roads during the hours between sunrise and sunset.
4. All passengers must be seated.
5. Children are not allowed on a golf cart that is operated on public roads if by age/size they are required by state or federal regulations to be seated in child restraint equipment.
6. Golf Carts must be operated in single file and as close to the right-hand side of the street as possible.
7. The operator of a golf cart shall use hand signals when turning a golf cart on City public roads. A hand signal for a left turn shall be fully extending the arm straight out. A hand signal for a right turn shall be extending the arm out at a 90° angle upwards.
8. Golf Carts shall not be allowed on sidewalks except as required to cross them to enter or exit public roads. Golf Carts shall not be operated in areas not designated for motor vehicle use. This shall include but not be limited to public parks, public grassy areas and public walkways. This ordinance shall not prohibit golf cart operation on the University path between West Schwager Drive and Burr Oak Trail if it is allowed by the University Wisconsin Whitewater
9. No unattended Golf Cart is permitted on any public roadway while the motor is running or a key in the ignition.
10. Golf Carts must display a slow-moving vehicle emblem as required by Wis. Stat. 347.245(1).
11. Golf Cart operators are subject to all Wisconsin Statutes Chapter 346 "Rules of the Road" as applicable to automobiles. (inclusive and in particular operating under the influence of alcohol or controlled substances and/or traveling with open alcohol containers.)
12. Golf Carts may only be operated on roads where the speed limit is 25 miles per hour or less.

(e) Disclaimer and Liability

1. Disclaimer – Golf carts are not designed for nor manufactured to be operated on public streets and the City neither advocates nor endorses the golf cart as a safe means to travel on public streets, roads, and highways. The City of Whitewater shall not be liable for accidents, injuries or death involving the operation of a golf cart on public roads.

2. Assumption of Risk – Any person who owns, operates or rides upon a golf cart on a public road within the City of Whitewater does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

(f) Violations

1. Violations of this ordinance shall constitute a non-criminal violation enforceable by all duly authorized law enforcement officers of the City of Whitewater.
2. Violation penalties shall be not less than \$75.00 nor more than \$200.00 plus statutory penalty assessment, jail assessment, court costs and crime lab assessment.

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Majkrzak. AYES: Schreiber, McCormick, Brown, Majkrzak, Allen. NOES: Smith, Gerber. ADOPTED: October 18, 2022.

John Weidl, Interim City Manager

Michele R. Smith, City Clerk