

ORDINANCE NO. 1334

THE CITY OF WOODLAND, WASHINGTON

AN ORDINANCE AMENDING WMC TITLE 10 (VEHICLES AND TRAFFIC) AS IT RELATES TO GOLF CARTS AND ADDING A NEW WOODLAND MUNICIPAL CODE CHAPTER TO TITLE 10 TO ESTABLISH A GOLF CART ZONE WITHIN THE CITY OF WOODLAND

WHEREAS, a Woodland resident brought the idea of creating a golf cart zone in the City to the City Council in 2014;

WHEREAS, the Planning Commission and City Council were supportive of creating a golf cart zone and accompanying ordinance in the City of Woodland;

WHEREAS, a public hearing was held before the Woodland Planning Commission on July 16, 2015 and, following the hearing, the Commission made a motion to forward the ordinance to the Woodland City Council with an *Affirmative* recommendation;

WHEREAS, pursuant to RCW 35A.11.020 and the Constitution of Washington, Article 11, Section 11, cities have the power to enact regulations in the interest of the health, safety, and welfare of their residents;

WHEREAS, all procedural requirements of the Woodland Municipal Code (WMC) for these amendments have been met; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Woodland as follows:

1. New Chapter to be added to WMC Title 10 – Vehicles and Traffic

New Chapter 10.30 – to be added as a new WMC Chapter and reads as follows:

**CHAPTER 10.30
GOLF CART ZONE**

Sections:

10.30.010	Authorization and Applicability
10.30.020	Golf Carts - Defined
10.30.030	Operation of golf carts on public roads
10.30.040	Required equipment
10.30.050	Registration
10.30.060	Violation – Penalty
10.30.070	Severability

10.30.010 Authorization and Applicability

Subject to the provisions of this chapter, the operation of golf carts are authorized upon the city streets within the City of Woodland. The provisions of this chapter shall apply to all golf carts. All requirements of RCW 46.08.175 shall be followed in addition to the provisions of this chapter.

10.30.020 Golf Carts – Defined

A golf cart is defined as a gas powered or electric powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes, and has a speed attainable in one mile of not more than 20 miles per hour. A golf cart is not a non-highway vehicle or off-road vehicle as defined in RCW 46.09.020. A golf cart is not considered a motor vehicle, except for the purposes of Chapter 46.61 RCW. As per WMC 10.30.030(3), only electric golf carts may be operated within the City of Woodland golf cart zone.

10.30.030 Operation of golf carts on public roads

1. Every person operating a golf cart must be at least sixteen years of age and must have completed a driver education course or have previous experience driving as a licensed driver. A person who has a revoked license under RCW 46.20.285 may not operate a golf cart.
2. Every person operating a golf cart is granted all rights and is subject to all duties applicable to the driver of a vehicle under RCW 46.61.
3. Only electric golf carts can be approved for use in the golf cart zone.
4. The City designates those streets west of Interstate 5 and having a speed limit of 25 miles per hour and under as located within the golf cart zone.
5. Golf carts may be operated in the golf cart zone 24 hours per day.
6. Maximum occupancy of a golf cart shall be one person per designated seat.
7. Accidents that involve golf carts operated within the golf cart zone must be recorded and tracked in compliance with RCW 46.52. The accident report must indicate that a golf cart operating within a golf cart zone is involved in the accident.

10.30.040 Required Equipment

1. As per RCW 46.08.175, all golf carts shall be equipped with reflectors, seat belts and rearview mirrors.
2. In addition to those items in subsection 1 above, the City further requires all golf carts to be equipped with turn signals, brake lights, and head lights.

10.30.050 Registration

All golf carts to be operated within the golf cart zone shall first be permitted by the City of Woodland Public Works Department. Application for a golf cart permit shall be made upon a form provided by the City of Woodland.

1. A fee of \$40 shall be paid at time of application submittal.
2. An inspection shall be made by the Public Works Director or designee ensuring the golf cart meets all requirements of this ordinance.
3. Upon successful inspection, the City shall affix a decal onto the golf cart being permitted.

10.30.060 Violation – Penalty

1. Any person violating the provisions of this chapter shall be deemed to have committed a traffic infraction, the monetary penalty of which shall be assessed in an amount not less than one hundred dollars.
2. In lieu of the infraction and monetary penalty described above, any Woodland police officer may utilize the following penalty provision for a person under sixteen years of age found operating a golf cart in a manner contrary to this chapter:
 - a. The officer may take custody of the golf cart. If the officer does not impound the golf cart, he may release it only to the parent or legal guardian of the violator or to the adult owning the golf cart;
 - b. Upon taking custody of the golf cart, the officer shall provide the violator with written notice setting forth the procedure, including the right provided in this chapter, for reclaiming the golf cart;
 - c. If a hearing is not conducted as authorized by this chapter, any golf cart which is not retrieved by the adult owner or parent/legal guardian of a violator within thirty days after receiving written notice described in subsection (B)(2) of this section shall be declared unclaimed property and shall be disposed of in accordance with state and local law;
 - d. Only the parent or legal guardian of a violator or an adult owner may reclaim a golf cart impounded pursuant to this section;
 - e. For the second and subsequent impounds of the same golf cart, a one hundred dollar fee for costs of impounds and administrative processing shall be paid to the city clerk-treasurer prior to the release of any property impounded under this alternative penalty.
3. Any parent of any child, and the guardian of any ward, who shall authorize or knowingly permit any child or ward to violate any provision of this chapter shall be subject to a civil non-traffic monetary penalty in an amount not less than one hundred dollars.

10.30.070 Severability

If any section, subsection, sentence, clause, phrase, or word of the ordinance codified in this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity of constitutionality of any other section, subsection, sentence, clause, phrase, or word of this chapter.

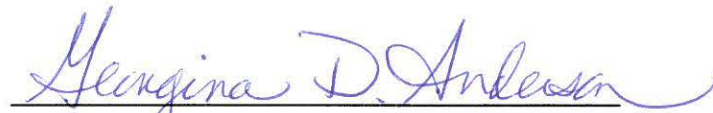
ADOPTED this 8th day of September, 2015.

CITY OF WOODLAND, WASHINGTON

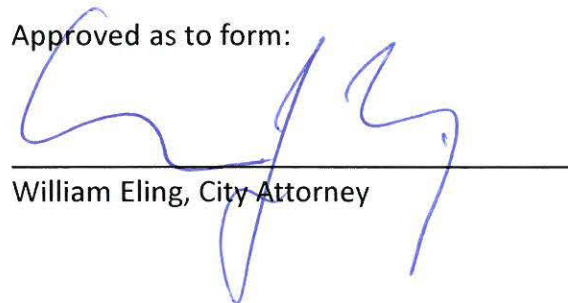
Approved:


Grover Laseke, Mayor

Attest:


Georgina D. Anderson, Deputy Clerk-Treasurer

Approved as to form:


William Eling, City Attorney