

**CITY OF GRAND MOUND**

**ORDINANCE NO. 262-13**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GRAND MOUND IOWA BY ADDING A NEW CHAPTER PERTAINING TO THE OPERATION OF GOLF CARTS ON CITY STREETS WITH A CITY ISSUED PERMIT.**

**BE IT ENACTED** By the City Council of the City of Grand Mound, Iowa:

**SECTION 1 NEW CHAPTER.** The code of Ordinances of the City of Grand Mound Iowa, is amended by adding a new Chapter 74, entitled **OPERATION OF GOLF CARTS ON CITY STREETS** which is hereby adopted to read as follows:

**74.01 PURPOSE.** The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cart is operated on any street or alley, subject to those exceptions stated herein.

**74.02 DEFINITIONS.** “Golf Cart” means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 800 pounds.

**74.03 OPERATION OF GOLF CARTS PERMITTED.** Golf carts may be operated upon the streets of the City by persons possessing a valid Iowa Driver’s License and at least sixteen (16) years of age, except as prohibited in Section 74.04 of this chapter.

**74.04 PROHIBITED LOCATIONS.**

**1. STREETS.** Golf Carts shall not be operated upon any City Street, which is a primary road extension through the City. However, golf carts may cross such primary road extensions. Included are the following street(s):

- A. East Street
- B. Hwy 30

**2. SIDEWALKS.** Golf Carts shall not be operated upon sidewalks.

**74.05 EQUIPMENT.** Golf carts operated upon City streets shall be equipped with at least the following:

1. A slow moving vehicle sign
2. A bicycle safety flag, the top of which shall be a minimum of five (5) feet from ground level
3. Adequate Brakes

**74.06 HOURS OF OPERATION.** Golf carts may be operated on City Streets only between sunrise and sunset.

**74.07 SPEED.** No Golf Cart shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted. Golf carts shall not be modified to increase speed.

**74.08 PERMITS.** No person shall operate a Golf Cart on any public street, or alley, for any purpose, unless the Golf Cart has passed a safety inspection by The City of Grand Mound's Public Works Department; and the operator possesses a Golf Cart Permit issued by the City Clerk.

1. Golf Cart owners may apply for a permit from the City Clerk on forms provided by the City.
2. The Clerk shall not issue a permit until the owner/operator has provided the following:
  - a. Evidence that the owner/operator possesses a valid driver's license.
  - b. Proof owner/operator has liability insurance (minimum limit of \$300,000.00 coverage) covering operation of golf carts on city streets.
  - c. A form indicating that the golf cart has passed the required inspection conducted by the Grand Mound Public Works Department. The fee for such inspection

shall be set by resolution. This is a one-time inspection. Vehicles that pass an inspection will not need to be re-inspected unless the vehicle is found in violation of this code, then a vehicle might need to be inspected again.

3. The operator of a golf cart shall display the permit sticker prominently on a rear fender or on a similar component, which is clearly visible from the rear.
4. All permits issued shall uniquely identify the name and address of the Owner/Operator.
5. The annual fee for such permits shall be twenty dollars (\$20.00).
6. The permits expire annually on December 31<sup>st</sup>, regardless of the date of issue.
7. Permits can be revoked by the City of Grand Mound as a result of any violation of the City's Code or the Code of Iowa or abusive behavior of the privilege of being a permit holder. There will be no refund of the permit fee. The revocation, including a description of the violation, shall be provided in writing to the owner of the golf cart. The revocation may be appealed to the City Council within 10 days of the written notice of revocation of the permit. The owner shall request the appeal in writing and submit the appeal to the City Clerk of Grand Mound.

**74.09 ACCIDENT REPORTS.** Either the operator, or someone acting for the operator, shall immediately notify law enforcement whenever a golf cart is involved in an accident resulting in injury or death to anyone, or property damage amounting to one thousand dollars (\$1,000.00) or more, and shall file an accident report within forty-eight (48) hours, in accordance with State Law.

**74.10 VIOLATIONS AND PENALTY.**

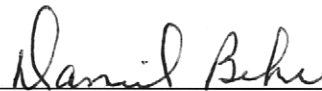
1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to a fine of one-hundred dollars (\$100.00) and revocation of the City of Grand Mound permit for a period of six months.
2. Any person guilty of violating this ordinance two times shall be subject to a fine of two hundred dollars (\$200.00) and revocation of the City of Grand Mound permit for a period of twelve (12) months.
3. Any person guilty of violating this ordinance three times shall be subject to a fine of three hundred dollars (\$300.00) and a permanent revocation of the City of Grand Mound permit.
4. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in, Section 3211.36 of the Code of Iowa.

**SECTION 2 REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3 SEVERABILITY CLAUSE.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

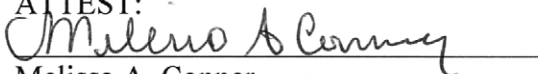
**SECTION 4 EFFECTIVE DATE.** This ordinance shall be in effect following final passage, approval and publication of this ordinance as required by law.

Passed by the Council of the City of Grand Mound on the 12<sup>th</sup> day of August, 2013 and approved this 12<sup>th</sup> day of August 2013.



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Mayor Dan Behr

ATTEST:




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Melissa A. Conner

City Clerk

First Reading            08/12/2013  
Second Reading        Waived 08/12/2013  
Third Reading           Waived 08/12/2013

I certify that the foregoing was published as Ordinance No.262-13 on the 17 day of  
August, 2013.

  
Melissa A. Conner  
City Clerk