

2014 ORDINANCE NO. ORD#001

AN ORDINANCE TO ALLOW GOLF CARTS ON STREETS WITHIN CITY OF POLSON

WHEREAS, the City Commission of Polson has been requested by individuals within the City limits to allow persons to utilize golf carts for personal transportation on the streets and alleys of Polson

WHEREAS, the Commission recognizes the inherent dangers of allowing golf carts on the roadways and that such use may endanger pedestrians, bicycle riders and motor vehicles that utilize such areas;

WHEREAS, the Commission has determined that golf carts will not unreasonably congest the roadways and that through the proper management of traffic the traveling public may be safeguarded from harm;

WHEREAS, it appears in the best public interest that the following ordinances be adopted allowing golf carts to be driven upon certain roadways of the City of Polson;

NOW, THEREFORE, BE IT ORDAINED by the City of Polson that the following sections of the Ordinances of the City of Polson be added:

Add New:

10.04.010(F) Definitions:

Golf cart" means a motor vehicle that is designed for use on a golf course to carry a person or persons and golf equipment and that has an average speed of less than 15 miles per hour.

10.04.160 Golf Carts Permitted: The use of golf carts on the roadways of the City within the exterior boundaries of the City of Polson is permitted under the following terms and conditions:

- a. No cart may be driven, operated or controlled:
 1. Between sunset and sunrise;
 2. Without the use of lights, if equipped with same;
 3. During inclement conditions when visibility is reduced or impaired by weather, smoke, fog or other conditions or at any time when there is insufficient light;
 4. Contrary to any traffic law of the City or the State of Montana;
 5. by a person without a valid driver's license;
 6. with more that the number of persons recommended for the vehicle;
 7. Without a valid City of Polson cart permit;
 8. Unless being operated in the far right of the right lane of traffic;
 9. On MT Highway 93 or 35;
 10. In any area where vehicle traffic is prohibited, blockaded or presents hazardous travel.

10.12.070 Permit: All golf carts operating upon the roadways of the City shall apply for and obtain, after inspection, a permit to operate. Such permit will be issued upon the authority and direction of the Golf Board upon satisfactory completion of the application therefore. Such permit may be revoked upon good cause shown and in the discretion of the Chief of Police. Any permit issued shall be valid for a period of one year commencing January 1 and ending December 31.

The application shall contain the following:

- a. full name, address and phone number;
- b. current driver's license number;
- c. \$25.00 nonrefundable application fee, such fee may be included in other fees and charges for service by the Golf Course.

All carts rented by the Golf Course shall be exempt from the permit requirements of this Ordinance.

10.12.080 Commission to Designate Cart Safe Streets: It shall be the duty of the Commission to promulgate a list of streets and roadways within the City that shall be open to golf cart travel. Such list may be changed, replaced or amended by resolution of the Commission.

10.02.090 Criminal Penalty:

It shall be unlawful for a person to operate a golf cart upon the roadways of the City of Polson unless the same be in compliance with this Chapter. Violation of this ordinance will be punishable as found at 1.08.010.

The clerk is hereby instructed to codify this Ordinance and to place the same in the Book of Ordinances of the City of Polson.

Date: _____

First Reading: ___ ayes ___ nays ___ abstentions

Date: _____

Second Reading: ___ ayes ___ nays ___ abstentions

Effective Date: _____

Mayor

Attest:

City Clerk