

## SECTION 1150

### MOTORIZED GOLF CARTS

#### 1150.10 INCORPORATION OF STATUTES

The provisions of MN Statute 169.045 are herewith incorporated by reference.

#### 1150.20 USE OF CITY STREETS

Except those streets listed below motorized golf carts may be operated on all City streets only when a permit has been obtained pursuant to this ordinance and the terms of this ordinance are complied with.

##### Prohibited Streets:

1. US Highway 61
2. MN State Highway 60
3. Hiawatha Drive
4. Grant Boulevard from US Highway 61 to Church Street and from Bridge Avenue to Pembroke Avenue
5. Pembroke Avenue

Motorized golf carts permitted for operation on City streets may be used to cross a street listed above when the operator is traveling on a street otherwise permitted and is crossing in a direction more or less perpendicular to the roadway being crossed.

#### 1150.30 APPLICATIONS

##### Subd. 1 Application Form

Each application for a permit required by this chapter shall be made at the office of the Chief of Police upon such form as may be prescribed by the Police Department, and shall be executed by the applicant.

##### Subd. 2 Each application for a permit required by the provisions of this chapter shall include the following:

- F. Date of application.
7. Name and address of applicant.
8. Nature of the applicant's physical handicap, if any.
9. Model name, make, year and serial number of the motorized golf cart.
10. Current driver's license or other proof that the applicant is at least 16 years of age.
11. Insurance company, policy number and liability limits.
12. The issuing officer may, as a condition of obtaining a permit, require that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the designated roadways.
13. The applicant shall present a certificate signed by a competent and experienced mechanic showing that the golf cart is in good mechanical condition and that it is safe for transportation of passengers.

14. Annual permit fee in an amount that may be prescribed from time to time by resolution of the City Council.
15. Such other information as the Chief may require.

The applicant must provide all information required above prior to being issued a permit.

Subd 3 False Statements

It is unlawful for any person to intentionally make any false statement or to intentionally omit any required information in the completion of any application form. Any such false statement or omission shall render such application, or any permit issued pursuant thereto, invalid and of no effect.

1150.40 PERMITS

Subd. 1 Issuance

Permits issued pursuant to this Section shall be issued by the Chief of Police upon a determination that all conditions precedent to the issuance or renewal of the permit have been met including the payment of the applicable fees and proof of insurance.

Subd. 2 Appeal

A person aggrieved by the denial of a permit by the Chief of Police or the imposition of terms in connection with the granting of a permit may appeal such action of the Chief of Police to the City council. To appeal the decision of the Chief of Police, the applicant for the permit must file a written notice of appeal with the City Clerk within five (5) days of being informed of the Chief of Police's decision to deny the issuance of a permit or the terms upon which the permit will be issued. The City Council will then review the decision of the Chief of Police to determine whether or not such action was correct. The City Council may, in connection with its review of the action of the Chief of Police either affirm, reserve or modify the actions of the Chief of Police. That applicant shall be advised by mail of the date and time that the Council will hear the applicant appeal.

Subd. 3 Term

Except as is otherwise specifically provided, each permit issued pursuant to the provision of this chapter shall expire on the 31<sup>st</sup> day of December immediately following such issuance.

Subd. 4 Transfer Permit

No permit issued pursuant to this chapter shall be transferable by the permittee to another person.

Subd. 5 Duplicate Permits

The Chief of Police shall issue a duplicate for any permit issued pursuant to this chapter, upon the filing of an affidavit of the permit holder stating that the original permit was lost or destroyed, and upon payment of a duplicate permit fee. Each duplicate permit shall be

clearly marked as a duplicate. The duplicate permit fee shall be set from time by resolution of the City Council.

Subd. 6 Suspension and Revocation

The Chief of Police may either suspend, a permit up to sixty (60) days, or revoke any permit issued pursuant to this chapter, for good cause, including a finding that the permittee has failed to comply with any applicable statute, regulation or ordinance relating to the operation of the permit holder.

Subd. 7 Automatic Revocation

No permit issued or renewed pursuant to this chapter shall be deemed valid until all permit fees have been fully paid and any required insurance provided. Any permit issued or renewed upon payment by a check shall be deemed conditionally issued until the City has received final credit to its bank account in the full amount of such permit fees. In the event the check tendered by the permittee is dishonored or refused by any financial institution, such provisionally issued permit shall be deemed void as of the date of the check's dishonor or refusal by a financial institution.

1150.50 OTHER REQUIREMENTS

1. All motorized golf carts permitted for use on City streets must have the following equipment attached and maintained in good working order:
  1. Brakes
  2. Slow moving vehicle emblem described in MN Statutes 169.522
  3. Rear view mirror
2. Every person operating a motorized golf cart has all the rights and duties applicable to the driver of any other vehicle under the provisions of Chapter 169 of Minnesota Statutes, except when these provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in MN Statutes, Section 169.045, Subd. 7.
3. Motorized golf carts may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
4. The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of his ordinance or Chapter 169 of MN Statutes, or if there is evidence that the permit holder cannot safely operate the motorized golf cart.
5. If a permitted vehicle is disabled through mechanical failure or for needed repairs, the permit may be temporarily transferred to another golf cart for a 7 day period upon approval by the Chief of Police.
6. All permits shall be issued for a specific golf cart and individual. The current permit shall be carried in the golf cart, indicating the number and year for which it is issued.
7. A permit will not be issued to any person whose driver's license has been suspended or revoked

due to a DWI or if there is evidence that the operator can not safely operate a golf cart.

#### 1150.60 LIABILITY

1. Nothing in his ordinance shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart by a permit holder or the failure by the City to revoke said permit.
2. All golf carts and their drivers must carry liability insurance with limits as required by Minn. Statute §65B.49 sub 3 at all times when operating a golf cart on a public street.

#### 1150.70 VIOLATIONS

- A. Any person violating any provision of this ordinance shall be guilty of a misdemeanor.