

**AN ORDINANCE RELATING TO THE OPERATION OF MOTORIZED
GOLF CARTS ON PUBLIC STREETS AND ROADWAYS OF THE CITY
OF RUSHFORD AND REPEALING AN EXISTING ORDINANCE
RELATING TO MOTORIZED GOLF CARTS**

THE CITY OF RUSHFORD ORDAINS:

SECTION 1. ADOPTION BY REFERENCE OF MN STATUTE. Except as herein specifically addressed or modified, the provisions of MN Statute Section 169.045 are herewith incorporated by reference.

SECTION 2. MOTORIZED GOLF CARTS ON CITY STREETS.

- A. WHEREAS, the State of Minnesota legislature has authorized the use of motorized golf carts on designated roadways within a City, on streets under their jurisdiction, and;
- B. WHEREAS, the City Council sees the need to limit the availability of access to City streets and roadways using golf carts to persons who are over the age of sixteen (16), who have possessed a valid driver's license in the past, or who currently possess a valid driver's license, and who are physically disabled as herein defined, consistent with this Ordinance and all other laws and regulations applicable, making it difficult or impossible for the person to operate a standard motor vehicle, without modifications to the vehicle, within the City of Rushford.
- C. The City Council also grants a special exemption to the Good Shepherd Lutheran Nursing Home for access to designated streets and roadways for the transportation of residents to the downtown area of Rushford by use of a motorized golf cart, consistent with this Ordinance and all other laws and regulations that apply.
- D. THEREFORE, the following rules are adopted:

SECTION 3. DEFINITION OF PHYSICALLY DISABLED. To be eligible for a golf cart permit, the applicant must document that operating a standard vehicle without modifications would be difficult or impossible.

Complete and accurate information regarding the disability must be provided. Failure to provide, complete and accurate information may result in the cancellation of the applicant's permit. In addition, it may cause the applicant to receive a request for additional medical information and will cause the application to be returned.

A person who is an applicant for a permit hereunder may be required to provide a physician's statement deeming the applicant capable of operating a golf cart prior to issuance of a permit.

SECTION 4. ISSUING OFFICER. The City Council shall authorize the issuing of all permits and shall determine the streets or roadways of operation and the hours of operation if more restrictive than State Statute and deemed necessary for public safety reasons and may recommend the denial of a permit if the applicant's driving status is revoked, suspended or cancelled for prior violations. The Chief of Police may revoke a permit at any time upon finding that the holder has violated any of the provisions of this Ordinance or Chapter 169 of MN Statutes, or if there is any evidence that the permit holder cannot safely operate the motorized golf cart.

SECTION 5. REQUIREMENTS FOR PERMIT. Every application for a permit shall be made on a form supplied by the City and shall contain the information listed below. All permits shall be issued for a specific golf cart and a specific individual. The permit shall be carried in the vehicle, indicating the number and year for which issued.

- A. All motorized golf carts, and their drivers must carry liability insurance at all times when operating on a public street or roadway. A certificate of insurance must be provided at the time of permit application.
- B. Model name, make, year and serial number of the motorized golf cart or all-terrain vehicle is required.
- C. Name and address of applicant, nature of applicant's physical disability, if any and current driver's license or reason for not having a current license is required.
- D. As a condition of obtaining a permit, the applicant may be required to submit a physician's certificate stating the applicant is able to safely operate a motorized golf cart on designated streets or roadways.
- E. The applicant shall present a certificate signed by a competent and experienced mechanic indicating the golf cart is in good mechanical condition, complete with rear view mirror, lights, (including brake lights, head lights and turn signals), brakes and a slow moving vehicle emblem and that it is safe for transportation of passengers.
- F. Annual permit fee shall be determined by the Rushford City Council and must be paid prior to issuance of permit. The permit fee may be adjusted upon annual review by the Council.
- G. Other pertinent information as may be required.

SECTION 6. OTHER REQUIREMENTS.

- A. Motorized golf carts must display the slow moving vehicle emblem provided for in MN Statutes, Section 169.522, when operated on a public streets or roadway.
- B. Every operator has all the rights and duties applicable to the driver of any other vehicle under the provisions of Chapter 169 of MN 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.
- C. Motorized golf carts may only be operated on streets and roadways as designated on the permit authorized by the City Council. The operator may cross any highway intersecting a designated street or roadway.
- D. Hours of permitted operation shall be from sunrise to sunset. Operation of a golf cart shall not be permitted during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or at any time wherein there is insufficient light to clearly see persons and vehicles on the street or roadway at a distance of 500 feet.
- E. If a licensed golf cart is disabled through mechanical failure or for needed repairs, the permit may be temporarily transferred to another golf cart for a seven (7) day period, but only upon verification of mechanical condition and insurance coverage of the substitute vehicle.

SECTION 7. ASSUMPTION OF LIABILITY. Nothing in this 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 Chief of Police to revoked said permit.

SECTION 8. VIOLATION AND PENALTIES. Any person violating any provision of this ordinance shall be guilty of a petty misdemeanor.

SECTION 9. EFFECTIVE DATE. This ordinance shall become effective immediately upon its enactment and publication.

Adopted by the Rushford City Council this _____ day of _____, 2002.

Ted Robertson, Mayor

Attest:

Kathy Zacher, City Clerk

Publication in Tri-County Record: _____

**CITY OF RUSHFORD
MOTORIZED GOLF CART
PERMIT APPLICATION FORM**

APPLICANT NAME _____

APPLICANT ADDRESS _____

DRIVER'S LICENSE # _____ OR

REASON FOR NO DRIVER'S LICENSE _____

NATURE OF PHYSICAL HANDICAP, IF ANY _____

GOLF CART INFORMATION:

MODEL NAME/MAKE _____

YEAR _____

SERIAL NUMBER _____

INSURANCE CARRIER NAME _____

ADDRESS _____

INSURANCE POLICY # _____

LIABILITY LIMITS _____

MECHANICAL CONDITION CERTIFICATE ATTACHED: YES _____ NO _____

INSURANCE CERTIFICATE ATTACHED: YES _____ NO _____

APPLICANT SIGNATURE

DATE

.....
ANNUAL PERMIT FEE \$ 15.00

DATE PAID _____

PHYSICIAN CERTIFICATE REQUIRED: YES _____ NO _____

CONDITIONS
RESTRICTIONS: _____

APPROVED BY RUSHFORD CITY COUNCIL

DATE

PERMIT # _____ PERMIT EXPIRATION DATE _____