

GOLF CART ORDINANCE

AN ORDINANCE CREATING NEW PROVISIONS TO THE CITY OF LIVERMORE CODE OF ORDINANCES AND AUTHORIZING THE USE OF GOLF CARTS ON CERTAIN DESIGNATED CITY STREETS

ORDINANCE NO. 11-09-01

WHEREAS, KRS 189.286 was enacted by the Kentucky General Assembly which authorizes the use of golf carts on certain city streets;

WHEREAS, KRS 189.286 authorizes the City to regulate the operation of a golf cart on any public roadway under its jurisdiction if the City adopts an ordinance specifying each roadway that is open for golf cart use; and

WHEREAS, the City Council deems it appropriate and necessary to formally adopt the provisions of KRS 189.286;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LIVERMORE, KENTUCKY, AS FOLLOWS:

SECTION 1. Definitions

For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Golf cart means any self-propelled vehicle that:

- a. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
- b. Has a minimum of four (4) wheels;
- c. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
- d. Is designed to carry not more than six (6) persons, including the driver;
- e. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
- f. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
- g. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 CFR 571.500.

SECTION 2. Adoption of KRS 189.286

In compliance with the provisions of KRS 189.286 and this Ordinance, golf carts may be operated on the following designated City streets, attached as Appendix A, whose speed limits are thirty five (35) miles per hour or less.

SECTION 3. Operation Requirements

In order to be operated on such designated City streets, a golf cart shall:

- (1) Be issued a sticker or permit for the golf cart by the City at a charge of \$25.00 for first year and a charge of \$10.00 per year thereafter; provided, however, issuance of a permit following and as a result of revocation or suspension of a permit shall be at a charge of \$25.00. Operator must show proof of inspection before permit will be issued.
- (2) Display a sticker or permit on the rear bumper that identifies that the golf cart is allowed to be operated on specific roadways within the City;
- (3) Be inspected by a certified inspector designated by the McLean County Sheriff's Office and certified through the Department of Vehicle Registration to ensure that the golf cart complies with the requirements of this section. The inspection fee under this paragraph shall be five dollars (\$5.00), with an additional fee of \$10.00 per trip charged if it becomes necessary for the certified inspector to travel to the site of the golf cart rather than having the golf cart brought to the Sheriff's inspection area. Inspections shall occur at the McLean County Sheriff's Office or at such other site as designated by the certified inspector.
- (4) Display a slow-moving vehicle emblem in compliance with KRS 189.820;
- (5) Be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway;
- (6) Be operated only between sunrise and sunset;
- (7) Be operated by a person with a valid operator's license in his or her possession;
- (8) Be outfitted with headlights and tail lights to be operated at all times;
- (9) Not be operated on any sidewalk.

SECTION 4. Application of Traffic Regulations

Any person operating a golf cart on a public roadway under the provisions of this Chapter shall be subject to the traffic regulations of KRS Chapter 189 and any other applicable provisions of this Code of Ordinances pertaining to the operation of vehicles upon City streets.

SECTION 5. Motor Vehicle Requirement Exemptions

A golf cart operating on a public roadway is not considered to be a motor vehicle and is exempt from:

- (1) Title requirements of KRS 182.020;
- (2) Vehicle registration requirements of KRS 186.050; and
- (3) Emissions compliance certificates pursuant to KRS 224.20-720.

SECTION 6. Exempted Golf Carts

The provisions of these sections shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

SECTION 7. Penalty

Any person violating the provisions of this Ordinance shall, upon conviction of a first offense, be fined not less than \$50.00 nor more than \$100.00. Any person convicted of a subsequent violation of this Ordinance, within five years of a prior conviction under this Ordinance, shall be fined not less than \$100.00 nor more than \$200.00. Upon an individual's third conviction of an offense hereunder, the individual's permit shall be revoked for three (3) years in addition to any fine. Failure to pay any fine within thirty (30) days due to a violation of this Ordinance shall result in suspension of permit.

SECTION 8. Enactment

This ordinance is to be in full force and effect as of the **1st day of October, 2011**, after its passage and publication according to law.

Motion to record was made by **David Edmonds**, seconded by **Chester Baldwin**, at a regular meeting on the 11th day of August, 2011.

Motion for passage was made by **Chester Baldwin**, seconded by **Michael Ball**, at a regular meeting on the 8th day of September, 2011, with 5 members present and 5 members voting for passage of this Ordinance.

(Signed by)

JOHN D. RENFROW, MAYOR

ATTEST:

(Signed by)

DEANNA EDMONDS, CITY CLERK

APPENDIX A

Elm Street
Hill Street (from Dr Sam Scott Drive (formerly First Street) to Broadway only)
Main Street (from Dr Sam Scott Drive (formerly First Street to Broadway only)
Willow
Oak Street
Walnut Street
Mulberry Street
Jackson Street
Dublin Street
Davis Street
5th Street Court
Meyers Street
Short Street
Popular Street
Charles Street
Charles Court
Ridge Street
Ridge Court
Lawrence Street
Brown's Lane
Morton Street
Depot Street
Sand Hill Road
School Street (access only from Livermore Elementary parking lot)
David Lane
Atherton Street
Oak Hill Street
Hicks Avenue
Broadway (from Morton Avenue to Oak Hill Street only)
Dr. Sam Scott Drive
Second Street
Third Street
Fourth Street
Fifth Street
Sixth Street
Seventh Street (from Oak Street to Depot Street only)
Eighth Street
Alleys open to traffic (include Duvall Ct. East, Duvall and Jarvis Lane)
Any other street in LIVERMORE having a posted speed limit of 35 MPH or less.

EXCLUSIONS:

Parts of Broadway and Seventh Street are considered a state highway; these parts of Broadway and Seventh Streets are NOT INCLUDED on the street list for golf carts to drive on.