



**Ordinance 2015-  
Golf Cart Ordinance**

**Ordinance Establishing the requirements to operate Golf Carts on City Streets**

**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 MORGANTOWN, 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 as currently enacted and as they may be changed from time to time for low-speed vehicles set forth in 49 CFR 571.500. (current regulations attached)

**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 and do not cross a roadway with posted speed limits greater than thirty five (35) miles per hour.

**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 after 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 Butler 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 Butler 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, taillights and turn signals 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 on a first or second offense within thirty (30) days due to a violation of this Ordinance shall result in suspension of permit. Any golf cart found to be in violation of KRS 189.820; KRS 304.39-080 or 49 CFR 571.500 shall be subject to seizure and impoundment along with local impoundment fees until the golf cart can be transported or the violations corrected and the golf cart can be driven.

First Reading:

Second Reading:

Publication Date:

City Administrator: \_\_\_\_\_

Mayor: \_\_\_\_\_