

MOFFATT TOWNSHIP, MICHIGAN
ORDINANCE NO. 4-24

GOLF CART ORDINANCE

An ordinance pursuant to Public Act 246 of 1945, as amended, and Public Act No. 300 of 1949, as amended, to permit and regulate the use and operation of golf carts in Moffatt Township; to insure the public health, safety, and welfare; and to provide penalties for violations thereof.

THE TOWNSHIP OF MOFFAT ORDAINS:

Section 1. Purpose

The purpose of this Ordinance is to adopt for the purpose of authorizing and regulating the operation of golf carts within the Township to promote the health, safety, and welfare of persons operating golf carts within the Township and to protect the safety of their passengers and other users of the road.

Section 2. Definitions

Driver license means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to MCL 257.329, as amended, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.

Golf cart means a vehicle designed for transportation while playing the game of golf.

Maintained portion means that portion of a road improved, designated or ordinarily used for vehicular traffic.

Operate means to ride in or on, or be in actual physical control of the operation of the golf cart.

Operator means a person who operates or is in actual physical control of the operation of a golf cart.

Registration means the process through which every person intending to operate a motorized golf cart on roads or streets within the Township must follow.

Street means a road, roadway, street or right-of-way within Moffatt Township street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

Sunset and *sunrise* mean that time determined by the National Weather Service on any given day.

Township means Moffatt Township, County of Arenac, State of Michigan.

Section 3. Operation of golf carts on Township streets.

A person may operate a golf cart on Township streets subject to the following regulations:

- 1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- 2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle.
- 3) All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- 4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- 5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- 6) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the Township, using the most direct line of crossing.
- 7) Where a usable and designated path for golf carts is provided adjacent to a road or street, a person operating a golf cart shall be required to use that path. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- 8) A person operating a golf cart shall not pass between lines of traffic but may pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic, in an unoccupied lane, in the case of a one-way street.
- 9) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 30 miles per hour except to cross that roadway or street. The Township may designate roads or classifications of roads for use by golf carts.
- 10) A golf cart shall not be operated on the streets of the Township during the time period from one-half hour before sunset to one-half hour after sunrise.
- 11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- 12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed and equipped.
- 13) A golf cart operated on a street of the Township is not required to be registered under this Act for purposes of Section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101, as amended.
- 14) A golf cart shall not be operated during inclement weather or with snow and/or ice on the ground.
- 15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways or parks.
- 16) Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.

17) This section does not apply to a police officer, Township officials, employees, contractors or volunteers in the performance of Township duties.

Section 4. Violations and penalties.

- 1) Any person violating any provisions of this ordinance shall be responsible for a civil infraction. The penalty for the first offense shall be \$50.00, and \$100.00 for the first repeat offense. For any second or subsequent repeat offense, the fine shall be no more than \$250.00.
- 2) A court may order a person who causes damage to the environment, a road, or other public property as a result of the operation of a golf cart to pay full restitution for that damage above and beyond the penalties paid for civil infractions.

Section 5. Validity and Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance, which shall be given effect without the invalid portion or application.

Section 6. Repealer.

All other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 7. Effective Date.

This Ordinance shall become effective thirty (30) days after notice of adoption is published in a newspaper of general circulation within the Township.