

ORDINANCE 2023-09
VILLAGE OF MISHICOT

AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF MISHICOT CHAPTER 139-3,
"OPERATION OF GOLF CARTS ON VILLAGE STREETS" AS FOLLOWS:

It is hereby ordained by the VILLAGE OF MISHICOT, Manitowoc County, Wisconsin, as follows:

139-3 OPERATION OF GOLF CARTS ON VILLAGE STREETS

A. **Purpose.** The purpose of this section is to provide a means of travel that is not only convenient and safe but conserves resources and protects the environment. Golf carts, if properly used, are an effective way to travel for short distances within the Village. However, to ensure the public safety and welfare, the operation of golf carts must not only comply with normal regulations regarding vehicles but should comply with special safety regulations intended to protect the operator and passengers in a vehicle that is primarily designed for operation on a golf course for recreational purposes. This section establishes the basic, minimum standards of care to be used by the operators of golf carts on public roads, streets and highways. Likewise, the public safety requires that golf carts, used as a means of transportation, must also meet certain minimum safety standards that can only be assured through a system of registration and inspection. The registration and inspection of golf carts is required in order to protect the public health, safety and welfare.

B. **Definitions.** As used in this section, the following terms shall have the meanings indicated:

GOLF CART

A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes.

C. **Applicability.**

(1) The operation of golf carts is not subject to the provisions of this section under the following circumstances: the operation of golf carts at golf courses or private clubs or on private property, with the consent of the owner.

(2) The use of a golf cart in connection with a parade, a festival or other special event is still subject to all provisions of this section. Additionally, consent from the coordinator of any event is required for use at and/or during the event.

D. **License required.** No person who is less than 16 years of age or who does not have a valid driver's license issued under or granted by the laws of Wisconsin or some other state may operate a golf cart on any public street within the Village. For purposes of this section, a learner's permit shall not be considered as a valid driver's license, nor shall any license that has been revoked, temporarily or otherwise, or suspended for any reason, be considered as a valid driver's license during the period of suspension or revocation.

E. **Registration.**

(1) A golf cart will not need to be registered or be inspected by the Village.

F. **Equipment.**

(1) The golf cart is equipped with brightly colored flag or slow-moving sign on the rear of the cart;

(2) The brakes provided by the manufacturer of the golf cart are in proper working order;

(3) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed the manufactured speed, nor otherwise modified in any way that creates a hazard;

(4) The golf cart is equipped with all mechanical systems and safety equipment required by this section; and

(5) All existing manufacturer lights are in working order, or a minimum of one headlight and two taillights installed so as to not conflict with oncoming traffic's vision if not driven during daylight hours. All lighting must be capable of being observed from a distance of 500 feet.

G. **Operation.** Golf carts shall not be operated on the public streets of the Village except in full compliance with the provisions of this section.

- (1) Hours of operation. Golf carts may be driven on approved public streets from sunrise to sunset. Golf carts may not be operated when fog, smog, smoke or other conditions reduce visibility so that the golf cart is not visible for a distance of 250 feet.
- (2) Streets. Golf carts may be operated on any Village-owned streets within the Village limits with a posted speed limit of 35 miles per hour or less.
- (3) Motor vehicle laws. All laws regarding the use of motor vehicles in the State of Wisconsin, including possession of a valid driver's license, and all ordinances regarding the use of motor vehicles in the Village not inconsistent therewith shall be observed.
- (4) Right-of-way. The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles.
- (5) Village property and sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, bicycle path or trail, jogging path, greenway, and park or on any beach or trail except for official police business or by Village personnel while on Village business. Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or leased by the Village except with the express written consent of the Village Board and upon the terms and conditions as may be set forth in such written permission, or to gain access to a parking lot for the purpose of parking.
- (6) Golf cart capacity. The seating capacity (normally no more than four passengers) shall not be exceeded nor shall the operator or any passenger be permitted to stand while the golf cart is in operation.
- (7) Commercial purposes. Golf carts may not be used as a taxicab or bus or for the commercial carrying of passengers or the hauling of freight.
- (8) Parking. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.
- (9) Unattended vehicles. No person shall leave or allow any golf cart owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (10) Towing. Golf carts may not be used for the purpose of towing another cart, trailer, or vehicle of any kind, including a person on roller skates, skateboard or bicycle.
- (11) No passengers under the age of 10 years old may be on the golf cart while operating on a public highway.
- (12) Obey all posted speed limits.

H. **Reportable Accidents.**

- (1) Anyone involved in any crash with a golf cart, which causes damage to any property and/or injury to any person shall report the accident to the Mishicot Police Department as soon as possible.

I. **Disclaimer and liability.**

- (1) Disclaimer. Golf carts are not designed for or manufactured to be used on public streets, and the Village neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads and highways. The Village in no way shall be liable for accidents, injuries or death involving the operation of golf carts.
- (2) Assumption of risk. Any person who owns, operates or rides upon a golf cart on a public street, road or highway within the Village does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

J. **Violations and penalties.** Whoever violates this section is subject to a penalty as set forth in §1-2 of the Code.

This ordinance shall take effect the day after posting.

Passed and adopted this 6th day of June, 2023.

Vote For: 6 Vote Against: 0 Not Voting: 1

Signed by: Bernie J. Samz Date: 6/6/23
Bernie J. Samz, Village President

Attest: Kathy Reissmann Date: 6/6/23
Kathy Reissmann, Village Clerk-Treasurer

Date adopted: 6/6/23
Date posted: 6/7/23
Date effective: 6/8/23

