

ORDINANCE NO. 2021-17

AN ORDINANCE ENACTING SECTION 14.07.240 OF THE CENTERVILLE MUNICIPAL CODE REGARDING GOLF CARTS

WHEREAS, the City Council of Centerville City has previously adopted Title 14 of the Centerville Municipal Code enacting the Centerville City Traffic Code (“Traffic Code”); and

WHEREAS, the City Council desires to enact Section 14.07.240 of the Traffic Code regarding golf carts on public streets in accordance with Utah Code § 41-6a-1510; and

WHEREAS, the City Council finds that the proposed enactment of Section 14.07.240 of the Traffic Code as more particularly set forth herein is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Enactment. Section 14.07.240 of the Centerville Municipal Code regarding Golf Carts is hereby enacted to read in its entirety as follows:

14.07.240 Golf Carts

- (a) Definitions. For purposes of this Section, the following words shall have the meaning set forth herein. In the event of conflict between the definitions set forth herein and any applicable State law, including, but not limited to Utah Code §§ 41-6a-102 and 41-6a-1510, the State law definition shall govern.
- (1) “Golf Cart” means a device that: (1) is designed for transportation by players on a golf course; (2) has not less than four wheels in contact with the ground; (3) has an unladen weight of less than 1,800 pounds; (4) is designed to operate at low speeds; and (5) is designed to carry not more than six persons including the driver.
- (2) “Golf Cart” does not include: (1) a low-speed vehicle or an off-highway vehicle; (2) motorized wheelchair; (3) an electric personal assistive mobility device; (4) an electric assisted bicycle; (5) a motor assisted scooter; (6) a personal delivery device; or (7) a mobile carrier, as such terms are defined by State law.
- (b) Golf Carts Allowed with Limitations. Subject to the parameters and limitations set forth herein and under State law, including, but not limited to Utah Code § 41-6a-1510, a person may operate a golf cart on specified highways under the jurisdiction of the City. A person may not operate a golf cart on a highway under the jurisdiction of the City that is not expressly authorized herein or in a manner that violates any of the parameters and limitations set forth herein or applicable provision of State law.
- (c) Parameters and Limitations for Golf Carts. The following parameters and limitations shall apply to the operation of a golf cart on specified highways under the jurisdiction of the City.

- (1) Highways. Golf carts may not be operated on or alongside any highway within the jurisdiction of the City with a designated speed limit greater than 25 mph or with a grade greater than 8%. Golf carts are not authorized on any State, County, or Federal street, road, or highway, unless otherwise provided by State or Federal law.
 - (2) Sidewalks. Golf carts may not be operated on any sidewalk.
 - (3) Age Limit. Only persons 14 years of age or older may operate a golf cart on specified highways under the jurisdiction of the City.
 - (4) Hours of Operation. Golf carts may only be operated on specified highways under the jurisdiction of the City during daylight hours.
 - (5) Passengers. The operator of a golf cart on specified highways under the jurisdiction of the City shall not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
 - (6) Safety Equipment. Golf carts operated on specified highways under the jurisdiction of the City shall have basic safety equipment, including a vehicle identification or serial number, rear view mirror, and plainly visible rear reflectors.
 - (7) Liability. Any person operating a golf cart on specified highways under the jurisdiction of the City shall be responsible for all liability associated with the operation of the golf cart.
 - (8) Compliance with Traffic Laws. Any person operating a golf cart on specified highways under the jurisdiction of the City shall comply with all applicable State and local traffic laws applicable to the operator of any other vehicle. As provided in Utah Code § 41-6a-1510, the operation of a golf cart on specified highways under the jurisdiction of the City shall comply with the same requirements as a bicycle for traffic rules under the Utah Traffic Code, as set forth in Utah Code §§ 41-6a-101, et seq.
- (d) Disclaimer. Golf carts are not generally designed or manufactured to be used on public streets or highways. The City in no way advocates or endorses the operation of golf carts on specified highways under the jurisdiction of the City. The provisions set forth herein are not to be relied on as a determination that operation of golf carts on roads is safe or advisable. Any person who operates a golf cart on specified highways under the jurisdiction of the City does so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians.
- (e) Penalties. Any violation of this Section shall be subject to penalties and fines as set forth in CMC §§ 14.01.070 and 14.01.080.

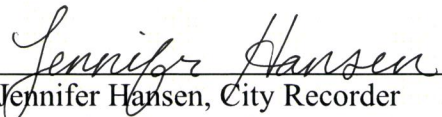
Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.


Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 7th DAY OF SEPTEMBER, 2021.**

CENTERVILLE CITY

ATTEST:


Jennifer Hansen, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Fillmore	<u>X</u>	<u> </u>	<u> </u>
Councilmember Ince	<u> </u>	<u>X</u>	<u> </u>
Councilmember Ivie	<u>X</u>	<u> </u>	<u> </u>
Councilmember McEwan	<u>X</u>	<u> </u>	<u> </u>
Councilmember Mecham	<u>X</u>	<u> </u>	<u> </u>

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 09/09/2021

RECORDED this 9th day of September, 2021.

PUBLISHED OR POSTED this 9th of September, 2021.

