

ORDINANCE # 70-60

GOLF CART ORDINANCE

STATE OF WISCONSIN Village of Hammond, St. Croix County

ARTICLE I: IN GENERAL

The title of this ordinance is the Village of Hammond Golf Cart Ordinance.

A. Purpose. The purpose of this chapter 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 or recreational purposes. This chapter 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. For purposes of this chapter, these definitions shall also apply throughout this chapter.

Golf Cart: A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour.

§ 70-61. Operation of golf carts allowed; exceptions.

A. Allowed. The operation of golf carts on the public streets within the Village in compliance with the provisions of this chapter shall be permitted; however, it shall be unlawful to operate any golf cart that is not properly registered with the Village or to operate any golf cart at any place or in any manner not authorized herein.

B. Exceptions. The operation of golf carts is not subject to the provisions of this chapter under the following circumstances:

(1) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner; or

(2) The use of a golf cart in connection with a parade, a festival or other special event, provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.

§ 70-62. License required.

A. 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, temporary or otherwise, or suspended for any reason, be considered as a valid driver's license during the period of suspension or revocation.

§ 70-63. Registration.

A. Required. No golf cart may be operated on any public street within the Village unless the golf cart has first been registered with the Hammond Police Department as required herein. The registration shall be renewed thereafter in accordance with the provisions of this section. To evidence the registration, the owner shall be issued an annual permit which shall be displayed in a prominent, visible place on the rear fender of the golf cart or at such other place as may be approved by the Police Department. The permit may contain a registration number assigned for the particular golf cart and shall be valid from April 1st to November 1st.

B. Registration fee. A registration fee in the amount of \$25 annually, or such other amount as may be established and published in the Schedule of Fees adopted by the Village Board from time to time, as amended, shall be paid to the Village at the time the application for registration is filed with the Hammond Police Department or for any renewal of the application.

C. Application. The application for registration shall be made to the Hammond Police Chief, or to some other person designated, on forms provided by the Village. The application may, among other things, require the owner's name, street address, mailing address, a phone number, the make, model and identification or serial number of the golf cart, proof of insurance and such other information as may be reasonably required as well as a release or disclaimer of liability by the Village for accidents involving the registered golf cart.

D. Procedures. The Chief of Police may establish written procedures, consistent with this chapter, setting out the process and the procedure, including the form of the application, the checklist for items to be inspected and the type of sticker, plate or tag evidencing the issuance of the registration permit.

E. Inspection. Prior to issuing the initial registration permit, the golf cart shall either be inspected, or in place of inspection, the Hammond Police Department may require photographs submitted of the golf cart, to determine that:

- (1) The golf cart is equipped with a rear vision mirror and at least two red rear reflectors at least three inches in height and width;
- (2) The golf cart is equipped with two operating headlights and two operating tail lights on either side of the rear of the golf cart;

- (3) The golf cart is equipped with a reflective "slow moving sign" or "flag" on the rear of the cart;
- (4) The brakes provided by the manufacturer of the golf cart are in proper working order;
- (5) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour, nor otherwise modified in any way that creates a hazard; and
- (6) The golf cart is equipped with all mechanical systems and safety equipment required by this chapter.

F. Denial and revocation. The initial registration of a golf cart may be denied or subsequently revoked by the Hammond Police Department if it is determined that:

- (1) The application contains any material misrepresentation;
- (2) Financial responsibility requirements of the State of Wisconsin (liability insurance) have not been met;
- (3) The golf cart is not in compliance with the requirements set out above;
- (4) The golf cart has been altered or customized and no longer meets the definition of a golf cart;
- (5) Equipment supplied by the manufacturer, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number removed; or
- (6) Other good cause shown including repeated violations of this chapter.

G. Financial responsibility. The owner of a golf cart required to be registered with the Village for use on the public streets of the Village shall maintain in full force and effect and continuously throughout any period of registration.

H. Disqualified vehicles. ATVs, four-wheel utility vehicles and other similar utility vehicles which are not manufactured for operation on a golf course and golf carts which have been modified so that it no longer meets the definition of a golf cart may not be registered as a golf cart nor shall such vehicles be operated on the public roads within the Village unless such vehicles are otherwise registered with and allowed under the motor vehicle laws of the State of Wisconsin.

§ 70-64 Manner of operation.

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

- A. Hours of operation. Golf carts may be driven on approved public streets from April 1st to November 1st.
- B. Streets. Golf carts may not be operated on the following streets or sections of any street except for the sole purpose of crossing such street either at a signalized intersection or at a perpendicular crossing at a through intersection that is appropriately marked and signed as a Golf Cart Crossing, which is subject to be moved from time to time at the Chief of Police's discretion:
- (1) Any State Trunk Highway or County Highway.
 - (2) Any street where the posted speed limit is more than 35 miles per hour.
- C. Motor vehicle laws. All laws regarding the use of motor vehicles in the State of Wisconsin and all ordinances regarding the use of motor vehicles in the Village, not inconsistent therewith, shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour.
- D. Right-of-way. The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles.
- E. Village property and sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, greenway, park, 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 Public Works Director and/or the Chief of Police and upon the terms and conditions as may be set forth in such written permission.
- F. 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.
- G. 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.
- H. 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 areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.
- I. 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.

§ 70-65 Disclaimer and liability.

- A. Disclaimer. Golf carts are not designed for nor 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 a golf cart.

B. 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.

§ 70-66 Violations and penalties.

A. If any person shall violate this chapter, he or she shall be guilty of a forfeiture and shall be fined not more than \$100 or such other amount as shall be set forth in the Schedule of Fees adopted by the Village Board from time to time, except that the owner or operator of a golf cart who shall violate a provision regulating the parking of vehicles shall be subject to a civil penalty in the amount set forth in the Schedule of Fees adopted by the Village Board from time to time, including the imposition of larger civil penalties for multiple or repeat offenses within a specified period of time. In addition, any person who violates may also be subject to the Wisconsin All-Terrain Vehicle penalties as found in Wis. Stat. §23.33 (13), are adopted by reference.

ARTICLE II. SEVERABILITY

The provision of this ordinance shall be deemed severable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

ARTICLE III. EFFECTIVE DATE

This ordinance becomes effective upon passage and publication.

Dated this 26 day of July, 2021.

AYES 5

NAYS 2

ABSENT 0

ABSTAIN 0

Attest


Anthony Bibeau, Village President

CERTIFICATION

IN WITNESS WHEREOF, I certify that this is true and accurate copy of the Golf Cart Ordinance, 70-60 thru 70-66 adopted by the Village Board on July 26 ,2021.

Attest Sandi Hazer
Sandi Hazer, Village Administrator

Date of Publication August 2, 2021.