

AN ORDINANCE ADDING TO TITLE III, TRAFFIC CODE, SECTION 395- UTILITY TASK VEHICLES AND GOLF CARTS, SECTION 395.010 TO SECTION 395.050. TO THE CITY OF WARSAW MUNICIPAL CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF WARSAW, COUNTY OF BENTON, MISSOURI AS FOLLOWS:

WHEREAS an election of the voters of Warsaw, Missouri was held on April 7, 2026;

WHEREAS the voters of Warsaw, Missouri voted to authorize the use of UTVs and golf carts within the City of Warsaw city limits;

WHEREAS as a result thereof, Section 395 is enacted to the ordinances of the City of Warsaw, Missouri;

WHEREAS under Title III, Traffic Code, adding Section 395- Utility Task Vehicles and Golf Carts has been authorized by the voters and the Board of Aldermen;

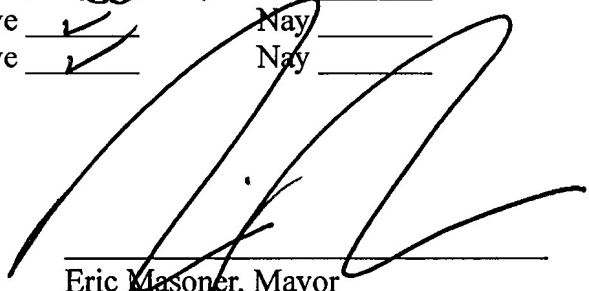
WHEREAS, Section 395.010 to Section 395.050 is added under Section 395- Utility Task Vehicles and Golf Carts

Section 1: See attached Section 395- Utility Task Vehicles and Gold Carts

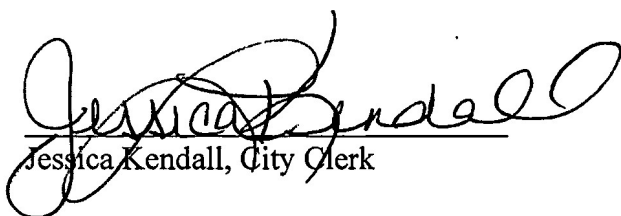
Section 1: That this ordinance shall be in full force and effect upon its approval and passage.

READ TWO TIMES AND PASSED AS READ THIS 22 DAY OF April 2026

Alderman Rob Coskey	Aye <u>✓</u>	Nay _____
Alderman Tyler Mutch	Aye <u>✓</u>	Nay _____
Alderwoman Kaci Cooner	Aye <u>✓</u>	Nay _____
Alderwoman Jennifer Flores	Aye <u>ABSENT</u>	Nay _____
Alderman Eric Flores	Aye <u>✓</u>	Nay _____
Alderwoman Kim Percy	Aye <u>✓</u>	Nay _____



Eric Masoner, Mayor



Jessica Kendall, City Clerk

Section 395 -Utility Task Vehicles and Golf Carts

Section 395.010. Definitions.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Utility Task Vehicle means and includes Any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty (50) inches but no more than eighty (80) inches in width, with an unladen dry weight of three thousand five hundred (3,500) pounds or less, traveling on four (4) or six (6) wheels, to be used primarily for landscaping, lawn care, or manufacturing purposes.

License means a state license that a vehicle receives in order to be operated on a public street or highway within a state.

Golf cart means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

- (b) *On public streets and sidewalks.* In order to promote the safe movement of traffic and pedestrians upon the streets and sidewalks of the city, the operation of unlicensed all-terrain vehicles upon the public streets and sidewalks of the city is prohibited.
- (c) *On public or private property.* The operation of all-terrain vehicles on private or public property, without the consent of the owner or entity controlling the same, within the city, is hereby prohibited.
- (d) *Violation.* Every person convicted of a violation of this section shall be punished pursuant to the provisions of the Warsaw Municipal Code.

Sec. 395.020. Utility task vehicle (UTV); prohibited on streets, highways, rivers or streams; exceptions; operational requirements; prohibited uses; penalty.

- (a) No person shall operate a UTV, as defined in section 395.010, upon the streets and highways of this city, except as follows:
- (1) UTVs owned and operated by a governmental entity for official use;
 - (2) UTVs operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation;
 - (3) UTVs operated by handicapped persons for short distances occasionally only on the city's streets when operated between the hours of sunrise and sunset;
 - (4) UTVs whose licensed operators carry a special permit issued by the city pursuant to section 395.030.
- (b) No person shall operate a UTV, as defined in section 395.010, within any stream or river in this city, except that UTVs may be operated within waterways which flow within the boundaries of land which a UTV operator owns, or for agricultural purposes within the boundaries of land which a UTV operator owns or has permission to be upon, or for the purpose of fording such stream or river of this city at such road crossings as are customary or part of the street and city highway system. All law enforcement officials or peace officers of this city shall enforce the provisions of this subsection within the geographic area of their jurisdiction.
- (c) A person operating a UTV on a city street or highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subsection (a)(3) of this section, but shall not be required to have passed an examination for the

operation of a motorcycle, and the vehicle shall be operated at speeds of less than 30 miles per hour. When operated on a city street or highway within the city, a UTV shall have an orange, reflective sticker affixed to the rear of the UTV that is no less than 12 inches in width and 12 inches in height; or in the alternative, a reflective triangle that is no less than 12 inches in height and 12 inches in width.

- (d) No person shall operate a UTV on any park lands of the city, except those operated by a governmental unit for official use.
- (e) No person shall operate a UTV that is not properly equipped with headlights, tail lights, brake lights, and turn signals.
- (f) No person shall operate a UTV with exhaust modification installed.
- (g) No person shall operate a UTV:
 - (1) In any careless way so as to endanger the person or property of another;
 - (2) While under the influence of alcohol or any controlled substance;
 - (3) While under the age of 18, except that an individual under the age of 18 may ride as a passenger with an operator who is over the age of 18 and is legal to operate said UTV;
 - (4) With a passenger under the age of 16, without a securely fastened safety helmet on the head;
 - (5) Without a valid city permit affixed to the rear driver's side of the UTV in a clearly visible location;
 - (6) Without valid insurance on the UTV for operation on public roads;
 - (7) On any state or federal highway, except any state highway with a posted speed limit of 25 miles per hour or except to cross a portion of a state highway system which intersects a municipal street;
 - (8) In a manner which disturbs the public peace;
 - (9) Between the hours of 10 p.m. and 7 a.m.;
 - (10) In or on any public park or property or on public sidewalks designated or designed bicycle or pedestrian lanes, unless specifically designated and posted otherwise by the City, except where motor vehicles are allowed;
 - (11) In any manner that impedes the flow of traffic.
 - (12) Without utilizing any factory installed or upgraded safety belt or harness.
- (h) No operator of a UTV shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any UTV in which the seat of such vehicle is designed to carry more than one person.
- (i) All UTV operators shall be subject to and shall abide by all of the traffic laws and regulations as set forth in Warsaw Municipal Code.
- (j) A violation of this section shall be punished by a fine not exceeding \$500.00 or by imprisonment for a period of not exceeding 90 days or by both such fine and imprisonment.

Sec. 395.030. UTV vehicle permits and registration.

- (a) The city clerk shall hereby be designated as the city official with the authority to issue special use permits for UTVS on a form prescribed and approved by the city clerk and city administrator within the city and a fee, as provided in the city fee schedule, shall be collected by the official upon issuance of the permit. No permit shall be issued until the fee is paid. Within five days after the receipt of said fees, the official shall deposit the fees in the general fund of the city. The permit shall be valid for one year.

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- (b) No person shall operate a UTV until and unless it has been registered with the city clerk, and to register it they must also provide proof of financial responsibility, covering the UTV to be registered, for operation on public roads with no less than the minimal insurance amounts as set forth by Missouri Revised Statutes as they may be amended from time to time.
 - (c) Any individual who accrues three (3) written citations in a one (1) year period shall have their permit revoked by the City of Warsaw. The suspension of a permit revocations shall last for one (1) year, at which point the individual may make proper application for an additional permit.

Sec. 395.040. Golf carts, operation on city streets.

- (a) Requirements for operating golf carts on city streets, roads or alleyways within the city:
 - (1) Any individual operating a golf cart shall have a valid operator's or chauffeur's license, but is not required to pass an examination for the operation of a motorcycle.
 - (2) The golf cart shall be properly insured and such proof of insurance shall specifically list the vehicle as referenced by the serial number and year of model.
 - (3) Any individual under the age of 18 is prohibited from operating a golf cart.
 - (4) The golf cart shall be operated at a speed of less than 25 miles per hour.
 - (5) The golf cart shall have an orange, reflective sticker affixed to the rear of the golf cart that is no less than 12 inches in width and 12 inches in height; or in the alternative, a reflective triangle that is no less than 12 inches in width and 12 inches in height.
 - (6) All golf carts operating within the City shall be equipped with headlights, tail lights, brake lights and turn signals.
- (b) No individual operating a golf cart on city streets, roads or alleyways shall:
 - (1) Operate the golf cart in any careless or imprudent manner so as to endanger any person or property of any person;
 - (2) Operate the golf cart while under the influence of alcohol or controlled substance;
 - (3) Operate a golf cart between the hours of 10:00 p.m. and 7:00 a.m.;
 - (4) Operate a golf cart on a street with a posted speed limit of 45 miles per hour; except operation for the purpose of crossing a portion of a street with a posted speed limit of 45 miles per hour which intersects a municipal street with a speed limit of 25 miles per hour;
 - (6) Cross any highway at an intersection where the highway being crossed has a posted speed limit of more than 45 miles per hour;
 - (7) Operate the golf cart without a valid city permit affixed to golf cart on the rear bumper;
 - (8) Operate without valid insurance on the golf cart for operation on public roads;
 - (9) Disturb the public peace; ;
 - (10) Fail to utilize any factory installed or upgraded safety harness or belt;
 - (11) Operate in excess of the maximum number of designed seating for the golf cart; no more than two total persons per bench seat shall be allowed.

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- (12) Operate with a passenger younger than 16 years in age unless the operator is the legal guardian of the passengers.
 - (c) A violation of this section shall be punished by a fine not exceeding \$500.00 or by imprisonment for a period of not exceeding 90 days or by both such fine and imprisonment.

Sec. 395.050. Golf cart permits and registration.

- (a) The city clerk shall hereby be designated as the city official with the authority to issue special use permits for golf carts on a form prescribed and approved by the city clerk and city administrator and a fee, as provided in the city fee schedule, shall be collected by the official upon issuance of the permit. No permit shall be issued until the fee is paid. Within five days after the receipt of said fees, the official shall deposit the fees in the general fund of the city. The city permit shall be valid for one year.
- (b) No person shall operate a golf cart until and unless it has been registered with the city clerk and to register a person must also provide proof of financial responsibility, covering the golf cart to be registered, for operation on public roads with no less than the minimal insurance amounts as set forth by Missouri Revised Statutes as they may be amended from time to time.
- (c) Any individual who accrues three (3) written citations in a one (1) year period shall have their permit revoked by the City of Warsaw. The suspension of a permit revocations shall last for one (1) year, at which point the individual may make proper application for an additional permit.