

Ordinance 2024-2

GOLF CART OPERATION ON DESIGNATED PUBLIC WAYS OF THE CITY OF WEYAUWEGA CODE OF ORDINANCES

THE CITY COUNCIL OF THE CITY OF WEYAUWEGA, WAUPACA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 454 Vehicles and Traffic; Article VII, Golf Cart Operation on Designated Public Ways, is hereby created to read:

Sec.454- 40 Golf Cart Travel within the City Limits Authorized.

(a) Statutory authority. Pursuant to Wis. Stats. §349.18(1m) the operation of a golf carts on the streets and in the matter provided herein is hereby permitted.

(b) Golf cart. Under this section the operation of golf cars/carts of the type and kind equipped and used solely and specifically for golfing will be allowed to operate upon city streets in the locations and matters provided herein.

Sec 454-41 General Operation of Golf Carts.

- a. Right Side. Golf cart shall be operated on the extreme right side of the roadway and travel with the flow of traffic.
b. Single File Golf carts shall be operated in single file with headlights and taillights in operation at all times, day or night.
c. Trailers. Trailers of any kind shall not be towed behind a golf cart.
d. Right of Way Golf cart operators shall yield the right-of-way to all other vehicular traffic and pedestrians.
e. Violations Golf carts violating any of the above conditions will be subject to the penalties outlined in Wis. Stats. and city ordinance.
f. Speed. Golf carts operated on any portion of any roadway or shoulder of a highway pursuant to this section shall observe the posted speed limit for that roadway. No person shall operate a golf cart within the city or on any trail or street or other public way designated in Section 454-46 of this chapter at a speed in excess of any posted limit. Any golf cart which is not able to attain the speed of 25 mph must display a slow moving vehicle sign as stated in Wis. Stats. §347.245(1).

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Sec 454-42 Equipment and Registration.

(a) *Restriction on equipment.* No golf cart may be operated on any street within the city limits unless it conforms to all noise, registration and other equipment requirements as stated in the Wisconsin Statutes or this Municipal Code.

(b) *Headlight and taillight.* Every golf cart operating within the city, upon any public street must display a lighted headlight and taillight at all times, day or night and said lights must conform to the requirements of this article. Headlights shall be of a white or clear light and must be capable of illuminating the road ahead during hours of darkness and be observed at a distance of 500 feet. Headlights must be properly adjusted, as not to interfere with the operation of other vehicles on the roadway. Taillights shall be red in color and be observable to a distance of 500 feet at night.

(c) *Registration/inspection.* In addition to any other registration requirements that may be imposed by the state, an annual municipal trail use permit is required to operate any golf cart within the city limits. It is the intent that the fee for this permit be reviewed annually and may be published by the city clerk on the city web site www.cityofweyauwega-wi.gov and in the Waupaca County Post.

(1) Upon successful inspection of any golf cart, a trail use permit shall be issued allowing it to be operated upon city streets for a period of one year. Such permit shall be plainly visible on the front cowling as to be plainly seen by a passing patrol officer.

- a. The trail use permit shall be valid from April 1 through November 1 of each consecutive year.
- b. The trail use permit fee shall be \$50.00 per year.

(2) *Inspection requirements.*

- a. The golf cart shall be inspected by the Weyauwega Police Department and conform to the golf cart inspection form.
- b. The golf cart shall have proof of ownership and insurance present at time of an inspection.
- c. The application form for that purpose must be completed and signed by the owner.
- d. The proper fee must be paid to the city clerk, prior to issuance of the permit.
- e. The vehicle must meet all inspection requirements prior to any permit being issued.

Sec 454-43 - Unattended vehicles.

No person shall leave or allow any golf cart owned or operated by him/herself to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

Sec 454-44 - Operation on sidewalks prohibited.

No person shall operate a golf cart upon any sidewalk, pedestrian way or upon the (terrace) area between the sidewalk and curb line of any street in the city, except as specifically authorized for the purpose of legally crossing the street, to obtain immediate access to an authorized area of operation.

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Sec. 454-45 - Restrictions on operators of Golf Cart.

- (a) No person shall operate a golf cart upon city streets, alley or public right-of-way within the corporate limits of Weyauwega unless such person shall have a valid motor vehicle operator's license.
- (b) No person shall operate a golf cart upon city streets, alley or public right-of-way within the corporate limits of Weyauwega while under the influence of an intoxicant in violation of Section 346.63

454-46 - Golf cart routes and trails designated.

- (a) *Designated Routes.* Except as provided in the Wisconsin Statutes or herein stated, no person shall operate any vehicle upon any public right-of-way, in any public park or cemetery or on any other public or private property in the city except upon routes and trails designated by the city council as golf cart routes.
- (b) *Designated Streets.* There shall be certain established streets within the city limits. These routes shall be designated as golf cart routes and may be used for that purpose.
- (c) *Golf Cart Routes and Streets* where golf Golf Cart may be operated. The Common Council shall by ordinance designation the routes and streets where golf carts may be operated and shall maintain a list of those routes in the Police Department.

(d) *Operation prohibited in certain areas:*

(1) No person may operate a golf cart for any reason on the following streets:

- a. County Hwy X
- b. W. Main Street the entire length unless crossing
- c. County Hwy AA
- d. S. Pine Street the entire length unless crossing
- e. N. Mill Street the entire length unless crossing or traveling from Ann Street to Park View Ln or Minton Ave.
- f. Any street where operation is prohibited by a posted sign.

Note: Any of the above street may be driven across from one side to the other, from a legal area to reach a street which is legal to operate upon.

(2) No person may operate a golf cart in the following areas, unless authorization is first obtained from the city council (city property need not be posted, golf cart operators must know whose property they are operating upon before entering any property):

- a. Any city cemeteries.
- b. Any property owned or leased by the city.
- c. Anywhere in the city on the grass skirt area between the street and sidewalk. (Except where motor vehicle traffic is normally allowed on paved surfaces only).

(3) Golf cart routes markers and status:

- a. The director of public works and city law enforcement officers are directed and authorized to procure, erect and maintain appropriate route, trail and speed

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limit signs and markers as approved by the state department of transportation and covered by Wisconsin Statutes.

b. City law enforcement officers shall have the power to declare the stated golf cart routes and trails either open or closed. Such openings and closures may be posted on the official city website www.cityofweyauwega-wi.gov and the Waupaca County Post.

c. No person shall fail to obey any route or trail sign, marker or speed limit or other control device erected in accordance with this section or traffic sign or signal under authority of Wisconsin Statutes.

Sec 454-46 - Enforcement.

(a) *Law Enforcement Officer.* This section shall be enforced by any law enforcement officer of the City of Weyauwega, Waupaca County, Wisconsin, or such other local, county or state law enforcement officers.

(b) *Uniform traffic citation.* The uniform traffic citation promulgated under the Wisconsin State Statutes, shall be used for violations of this chapter relating to highway use except as herein provided.

(c) *Parking violations.* The special standardized city parking ticket shall be used for enforcement of violations of rules of the road relating to parking of vehicles.

(d) *Other violations.* All violations of this chapter shall be enforced by use of a Wisconsin Uniform Municipal Court Citation and Complaint.

Sec 454-47 - Penalty.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than \$500.00, together with the costs of prosecution and , in default of payment thereof, may be imprisoned in the county jail for a term not to exceed ten days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wis. Stats., for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under this Chapter. Except as otherwise provided state law, and the deposit schedule adopted by the state board of circuit court judges hereunder, required penalties and deposits or bail not including costs or fees for violation of this chapter shall be as established by the schedule adopted by the city common council.

SECTION 2: Ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect upon passage and publishing as provided by law.

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PASSED AND ADOPTED by the City Council of the City of Weyauwega, Waupaca County, Wisconsin this 20th day of May, 2024.

CITY OF WEYAUWEGA

BY: _____
Rich Luedke
Mayor

ATTEST:

Rebecca Loehrke, Clerk

Introduced by: Meta Berg
Seconded by: Pat Gorchals

Date Adopted: May 20, 2024
Date Published: May 30, 2024