

COLUMBIA CHARTER TOWNSHIP

COUNTY OF JACKSON, STATE OF MICHIGAN

ORDINANCE # 65

OPERATION OF GOLF CARTS

SECTION 1: PUPROSE

The purpose of this Ordinance is to authorize and regulate the operation of golf carts, on the streets and highways of Columbia Charter Township pursuant to the Michigan Motor Vehicle Code, to provide opportunities for such golf cart use while minimizing the potential for nuisance conditions and the undermining of public safety and welfare, and the provision of penalties for the violation thereof.

SECTION 2: DEFINITIONS

A. General:

The purpose of this Ordinance is that the following terms and phrases shall have corresponding meanings. An undefined term or phrase shall be construed according to its common meaning unless provided otherwise.

1. **Golf Cart:**

- a. A vehicle designed for transportation while playing the game of golf powered by an electric motor or gasoline motor less than 50cc's.

2. **Operate:**

- a. Occupy, ride upon or within the vehicle or to be in physical control of the operation of the golf cart.

3. **Operator:**

- a. Individual who controls the movement of the vehicle while manipulating the functions of the golf cart.

4. **Street:**

- a. A defined area improved or unimproved for the access of motor vehicles to facilitate the movement of traffic dedicated to the public, and under the jurisdiction of the Jackson County Department of Transportation.

5. **Shoulder:**

- a. The portion or land adjoining a street contiguous to the regularly travelled surface and extending the contour of the street, not designed for vehicular travel but maintained for the temporary accommodation of disabled or stopped vehicle other permitted on the street.

SECTION 3: STREETS, HIGHWAYS

A. General:

All public streets in Columbia Charter Township with a posted or non-posted speed limit of 25 mph or less shall be open to golf cart operation pursuant to this ordinance. Golf carts will not be permitted to operate and streets and / or highway owned and maintained by the Michigan Department of Transportation including but not limited to M-50 Hwy/Brooklyn Rd / N. Main St / S. Main St M-124/Wamplers Lake Rd.

SECTION 4: OPERATING INSTRUCTIONS

A. General:

Except as set forth herein or others provided by law, the operation of a golf cart on any street in Columbia Charter Township shall comply with all the following conditions:

1. Operator Minimum Age:

- a. A person shall not operate a golf cart on any street unless he or she is at least 16 years old.

2. Required license:

- a. A person shall not operate a golf cart on any street unless he or she is licensed to operate a motor vehicle under the laws of any state, territory, or possession of the United States, Indian Country as defined in 18 USA 115, the District of Columbia, and the Dominion of Canada pertaining to the licensing of person to operate a motor vehicle.

3. Speed:

- a. A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a state trunk line highway or a highway or street with a speed limit of more than 25 miles per hour, except to cross that state trunk line highway or highway or street in accordance with the motor vehicle code.

4. Direction

- a. A golf cart shall be operated only in the same direction as the flow of traffic adjacent to the shoulder of the road.

5. Traffic Interference:

- a. A golf cart shall be operated in a manner that does not interfere with other street traffic.

6. Location:

- a. A person operating a golf cart on a street shall drive as near to the right side of the street shoulder as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, or pedestrians.

7. Passing:

- a. A person operating a golf cart shall not pass between lines of traffic but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in unoccupied lanes.

8. Signaling:

- a. The operator of a golf cart shall comply with the signal requirements of section .648 of the Michigan Motor Vehicle Code that applies to the operation of a vehicle.

9. Time of Day:

- a. A golf cart shall not be operated on a street during the time from ½ hour before sunset to ½ hour after sunrise.

10. Golf Cart Equipment:

- a. A golf cart operated on a public street as permitted by this Ordinance shall comply with the following:
 - i. At least 1 headlamp that complies with section .685 of the Michigan Motor Vehicle code. This lighting requirement shall be maintained and in proper working order for necessary operation. The headlamp shall always be illuminated while the golf cart is in motion to maintain maximum visibility.
 - ii. At least 1 tail lamp that complies with section .686 of the Michigan Motor Vehicle Code. This lighting requirement shall be maintained and in proper working order for necessary operation. The tail lamp shall always be illuminated while the golf cart is in motion to maintain maximum visibility.
 - iii. At least 1 red reflector on each side of the golf cart as far to the rear as practicable and 1 red reflector on the rear of the golf cart as required of low-speed vehicles by 49 CFR 571.500 of the Federal Motor Vehicle Safety Standards.
 - iv. One exterior mirror mounted on the driver's side of the golf cart and one interior mirror as required for low- speed vehicles by 49CFR 571.500 of the Federal Motor Vehicle Safety Standards.

- v. Functioning brakes and a functioning parking brake as designed by the manufacture and maintained to a standard as required by the manufacturer and properly functioning capable of bringing the cart to a complete stop and maintain a stopped position without external influence to accomplish the same.
- vi. A horn that complies with section .706 of the Michigan Motor Vehicle Code.
- vii. A manufacturer's identification number permanently affixed to the frame of the golf cart.
- viii. Safety belts that comply with section .710 and that are used as required by section .710 of the Michigan Motor Vehicle Code.
- ix. Proper child restraint systems that comply with section. 710d and that are used as required by section .710d of the Michigan Motor Vehicle Code.
- xi. The golf cart must have a minimal valid insurance policy and always possess proof of the valid policy to operate on the streets of Columbia Charter Township.

11. Restricted Areas

- a. A golf cart shall not be operated on any sidewalk, improved path or trail designated for non-motorized use unless otherwise designated for such use.

12. Handicap Parking

- a. A golf cart may park in designated handicap parking area in compliance with section .674 of the Michigan Motor Vehicle Code. The Michigan Motor Vehicle Code requires all three of the following must occur to legally park in a handicapped parking space.
 - i. A person with a disability must be transported in the vehicle;
 - ii. There must be a valid handicapped permit or special registration plate
 - iii. The handicapped permit or plate must be displayed properly. Permits must be displayed on the interior rearview mirror of the vehicle when the vehicle is parked.

13. Owner Responsibility

- a. It shall be unlawful for the owner, parent or guardian to allow the operation of a golf cart by an individual who does not currently possess a valid driver license.

14. Inspection

- a. The owner shall present the golf cart in question for inspection before a Columbia Charter Township Police Officer to verify the cart is properly equipped as prescribed by this ordinance. This process shall be completed on a semi-annual basis.
- b. It will be unlawful to operate a golf cart without proper proof of inspection as provided by Columbia Charter Township. Failure to have proper inspection proof via inspection sticker provided by Columbia Charter Township attached to the front lower corner of the driver's side windshield will be prime facia evidence to contact the operator of any given cart in question for purposes of inspection verification. Furthermore, if the golf cart is being operated without proof of inspection, the operator may be cited for the same.
- c. The Columbia Charter Township Board of Trustees shall impose a fee for the inspection process to occur and provide proof of the inspection process occurring.

The fee schedule for the inspection shall be as follows;

\$50.00 for a two-year sticker
\$30.00 for a one-year sticker
\$30.00 for a replacement sticker.

A receipt will be provided by Columbia Charter Township for the inspection process and a copy shall be made available at the request of any police officer.

SECTION 5: PENALTIES

- A. A violation of this Ordinance shall be deemed a civil infraction. A person who violates this ordinance shall be issued a citation for a civil infraction and shall be subject to a civil fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, in accordance with Public Act 12 of 1994, as amended. If the threat to public health and or safety necessitates immediate action, this procedure may be circumscribed, and the Township Board may initiate injunctive action in Circuit Court, or any such other relief as may be provided to law. Further, the court may order a person who causes damage to the environment, a road or other property because of the operation of a golf cart to pay full restitution for the damage above and beyond the penalties of the civil fines.

SECTION 6: SERVERABILITY

- A. If any section, subsection, paragraph, sentence, clause, or portion of this Ordinance is found for any reason to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a sperate distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

SECTION 7: ORDINANCE REPEALED

- A. All ordinances and /or parts of ordinances inconsistent with the ordinance are hereby repealed.

SECTION 8: EFECTIVE DATE:

- A. This Ordinance shall take effect and be in force upon the expiration of (30) days of the date when the notice of adoption for the ordinance is published in a newspaper of general circulation in Columbia Charter Township.

Published in _____, Date: _____

_____, Date: _____

Cathy Hulburt
Columbia Charter Township Clerk