

VILLAGE OF CASS CITY
6506 Main Street, Cass City, Michigan 48726 (989) 872-2911

GOLF CART ORDINANCE NO. 189

AN ORDINANCE TO AMEND VILLAGE OF CASS CITY MUNICIPAL CODE

**CHAPTER 38, TRAFFIC AND VEHICLES,
ARTICLE V (5), GOLF CARTS**

for the purpose of authorizing and regulating the operation of golf carts
on the streets in the Village of Cass City
and for the purpose of providing penalties for the violation

THE VILLAGE OF CASS CITY HEREBY ORDAINS:

Chapter 38: TRAFFIC AND VEHICLES

ARTICLE V (5): GOLF CARTS

Section 1: As used in this ordinance, the following definitions shall apply:

- A. **“Driver’s license”** means an operator’s or chauffeur’s license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- B. **“Golf cart”** means a vehicle that has not less than three wheels in contact with the ground and is designed not to carry more than four (4) persons, including the driver, designed for transportation while playing the game of golf.
- C. **“Maintained portion of the road”** means the portion of the road improved, designated, or ordinarily used for vehicular traffic and does not include within its meaning the shoulder or right-of-way.
- D. **“Operate”** means to ride in or on, and to be in actual physical control of the operation of a golf cart.
- E. **“Operator”** means a person who operates or is in actual physical control of the operation of a golf cart.

- F. "**Slow-moving vehicle sign**" means reflective triangle sign known to designate a slow-moving vehicle.
- G. "**Street**" means a city or village major street, or village local street as described in Section 9 of 1951 PA 1951, MCL 247.659.
- H. "**Sunrise**" and "**Sunset**" mean that time determined by the National Weather Service on any given day.
- I. "**Village**" means the Village of Cass City.

Section 2: A golf cart may be operated on the far right of the maintained portion of a street within the Village subject to MCL 257.657a and the following requirements:

- A. The golf cart shall not be operated in excess of the speed of fifteen (15) miles per hour and shall not be operated on a street with a speed limit of more than thirty-five (35) miles per hour.
- B. The golf cart shall not be used to carry more than four (4) persons at one time or more than the number for which it is designed and equipped, if designed and equipped to carry less than four (4) persons.
- C. The operator must use signals (hand or mechanical) to indicate turning left or right and intent to stop the golf cart while operating on a street, pursuant to the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle. All golf carts must have a slow-moving vehicle sign affixed to the rear of the golf cart.
- D. All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- E. The golf cart may only be operated on a street between one-half hour after sunrise and one-half hour before sunset.
- F. The golf cart shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- G. Where a usable and designated path for golf carts is provided adjacent to a road or street, a person operating a golf cart shall be required to use that path. The golf cart shall not be operated on the any

designated walking trails or on any sidewalk constructed for pedestrians.

H. The operator of a golf cart shall obey all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.

I. The operator of the 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 an unoccupied lane, in the case of a one-way street.

Section 3: No person shall operate a golf cart on a Village street, unless the person is at least sixteen (16) years of age and has a valid driver's license.

Section 4: A person shall not operate a golf cart on a state trunk line highway, M-81, Main Street. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the Village, using the most direct line of crossing.

Section 5: Except as prescribed herein, a golf cart shall not be operated on a street within the Village.

Section 6: Off-Road Vehicles as described in Ordinance 188 are not considered golf carts.

Section 7: The Village is immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation of use of a golf cart on maintained or unmaintained streets, shoulders, and rights-of-way over which the Village has jurisdiction.

Section 8: Any person who violates this ordinance is guilty of a municipal civil infraction and may be ordered to pay a civil fine of not more than One Hundred (\$100.00) Dollars.

Section 9: In addition to the penalties under Section 8 of this ordinance, a court may order a person who causes damage to the environment, a street, or other property as a result of the operation of a golf cart to pay full restitution for that damage above and beyond the penalties paid for civil fines.

Section 10: Should a portion of this ordinance be found invalid for any reason; such holding shall not be construed as affecting the validity of the remaining portions of this ordinance.

Section 11: A golf cart operated on a street in the Village under this ordinance is not required to be registered for purposes under MCL 500.3101 of the insurance code.

Section 12: This section does not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

Section 13: The stopping, standing, and parking regulations provided in Chapter 38, Article III of the Village Code, which may be adopted by reference therein, shall also apply to golf carts operated in the Village, as if they are motor vehicles under those provisions.

Section 14: This ordinance shall take effect 30 days from and after approval and publication in a newspaper of general circulation, by the Village of Cass City.

At a Regular Meeting of the Village of Cass City Council on the 28th day of September 2020,

A MOTION TO ADOPT VILLAGE OF CASS CITY, MI PROPOSED ORDINANCE #189, "AN ORDINANCE TO AMEND VILLAGE OF CASS CITY MUNICIPAL CODE CHAPTER 38, TRAFFIC AND VEHICLES, ARTICLE V (5) TO BE AMENDED TO READ "GOLF CART ORDINANCE,

Was offered by Trustee Herron, and supported by Trustee Leeson

Ayes: Ball, Herron, Kirn, Leeson, Piaskowski, Zawilinski. Nays: None. Excused: Delamarter.

Resolution: Approved

Nanette Walsh

Clerk/Treasurer, Village of Cass City