

ORDINANCE NO. 4234

**AN ORDINANCE AMENDING ORDINANCE NO. 4110
TO ALLOW LIMITED GOLF CART USE NEAR MESA STATE COLLEGE**

RECITALS:

On August 15, 2007, the City of Grand Junction adopted the 2003 Model Traffic Code for Colorado through Ordinance No. 4110. That Ordinance also repealed Chapter 36 and adopted a new Chapter 36 of the Code of Ordinances.

Section 36-2 of Chapter 36 of the Code of Ordinances contains Amendments and Deletions to the Model Traffic Code and Section 238 of the Model Traffic Code, as amended by Ordinance No. 4110, allows for limited golf cart use in certain areas of the City.

This Ordinance is intended to revise Chapter 36 of the Code of Ordinances concerning golf cart usage.

The Facilities Services Department at Mesa State College (MSC) has submitted a request to City staff for consideration of an ordinance to allow MSC facilities maintenance and management to use golf carts to access certain college campus grounds, buildings and construction projects. Expansion of the existing campus has required the Facilities Services Department at Mesa State College to relocate their service center from the main part of campus to a new location on the east side of 12th Street. By amending Chapter 36-2 of the Code of Ordinances to add specific parameters for limited on-street golf cart use around Mesa State College, the MSC Facilities Services Department will be able to lawfully use carts on specific streets.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

Chapter 36, Section 36-2 of the Code of Ordinances, as adopted by Ordinance No. 4110, is hereby amended to read as follows.

Section 36-2. Amendments and Deletions.

The Model Traffic Code adopted in section 36-1 is hereby amended as follows:

Part 12, inclusive, is deleted.

Section 103 (2)(c) is added to read:

On no portion of any state highway or connecting link within the city shall any person violate any of the provisions of this Code, or any of the laws amending the same, or any of the rules or regulations issued pursuant thereto.

Section 109.5 is amended to read:

(1) (Deleted)

(2) No person shall operate a neighborhood electric vehicle on a limited access highway.

Section 238 is added to read:

(a) Definition. For the purposes of this section, "golf cart" means a four-wheel, pneumatic tired vehicle powered by a gasoline or battery driven motor that is designed for use as a transport device on a golf course, or as a means of transportation for Mesa State College authorized personnel, within Mesa State College boundaries, as defined in paragraph (b) below.

(b) A golf cart may be driven upon streets under the jurisdiction of the City, excluding country roads, state or federal highways, in the following designated areas:

(1) the area bounded on the west by 26 Road, on the east by 28 Road, on the south by Patterson Road, and on the north by H Road. Golf carts may be driven on 26 Road, 28 Road, and H Road, but are not permitted on Patterson Road or Horizon Drive (however, crossing Horizon Drive at an intersection is permitted); and

(2) the area beginning at the intersection of Shadow Lake Road and Mariposa Road (but excluding Mariposa Road) along Ridges Boulevard to the west, continuing along West Ridges Boulevards and inclusive of all streets within the Redlands Mesa Planned Development; and

(3) the area bounded on the west by Cannell Avenue, on the east by 13th Street, on the south by North Avenue and on the north by Orchard Avenue. (However, driving on North Avenue is not allowed).

(c) (1) No person shall operate a golf cart on any public street in the city:

a. Unless within the boundaries set forth in subsection (b) of this section;

b. Unless the golf cart is equipped at a minimum with:

1. A state approved slow triangle mounted on the rear of the cart;
 2. A rearview mirror;
 3. An audible warning device;
 4. Turn signals;
 5. Both headlights and tail lights;
 6. A steering wheel;
 7. A foot-controlled accelerator; and
 8. A foot brake;
- c. Except during the time from one-half hour before sunrise to one-half hour after sunset; however, in the designated area around Mesa State College, authorized MSC personnel may operate golf carts on a 24-hour basis.
- d. Unless in a direct route from the operator's residence to a golf course, or from a golf course to the operator's residence; unless the golf cart operator is an authorized MSC facilities employee driving within the designated boundaries specified in Section 238 (b)(3).
- e. Unless such person possesses, on the person of the operator, a valid State of Colorado driver's license.
- f. In a way or at a speed which impedes the normal flow of traffic; the operator has the affirmative duty to observe traffic behind and around him. If the golf cart is traveling at a speed which is more than five miles per hour below the applicable speed limit, the operator of a golf cart shall pull over to the right side of the road at the first safe opportunity and allow vehicles to pass the golf cart.
- g. While under the influence of, or impaired by, alcohol; nor shall any person operate a golf cart while under the influence of any drug. The definition of, and proof of, intoxication or impairment shall be as set forth in C.R.S. § 42-4-1202. The operator of a golf cart who is arrested for operating a golf cart while under the influence of or impaired by alcohol or drugs shall submit to chemical testing as set forth in C.R.S. title 42. Failure to submit to a test as required shall result in the immediate revocation of the permit issued to an operator.
- h. Without first obtaining a permit from the city police department, which permit shall be attached to the golf cart at all times that such cart being operated upon a city right-of-way.
- i. Unless such person has, on his person, proof of recreational vehicle or similar insurance that is current and provides coverage for injury to persons and property.
- (2) The operator of a golf cart on public streets shall comply with the provisions of the Model Traffic Code as adopted by the city.

(3) Nothing in this section authorizes the operation of a golf cart on rights-of-way under the jurisdiction of the county. It is the duty of each operator of a golf cart to ascertain whether a right-of-way is within the city limits.

- (d) The police chief, after having determined that the golf cart and the operator are in compliance with requirements of this section, shall issue a permit. Such permits shall be valid for three years from the date of issuance unless revoked for just cause. Fees for the permit shall be as established by resolution of the City Council. The City Council may alter such fees by resolution.
- (e) Police officers are authorized to stop a golf cart which is being operated on a City right-of-way, without probable cause or other reason, at any time, to verify that the operator has a valid permit and to inspect for required safety equipment.
- (f) The City Council shall, by resolution, establish the minimum requirements of required insurance for operation of golf carts on city rights-of-way.

ALL OTHER PROVISIONS OF CHAPTER 36 SHALL REMAIN IN FULL FORCE AND EFFECT.

PASSED for first reading and ordered published by the City Council of the City of Grand Junction, Colorado this 16th day of April, 2008.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this 7th day of May, 2008.

/s/: Gregg Palmer
President of the Council

Attest:

/s/: Stephanie Tuin
Stephanie Tuin
City Clerk