

ORDINANCE NO. 2474

DRIVING GOLF CARTS ON THE PUBLIC RIGHTS-OF-WAY TO AND FROM GOLF COURSES

RECITALS

City residents have requested permission to drive golf carts on the public rights-of-way to and from golf courses. The Police Chief and the Parks and Recreation Director of the City have recommended that the request be granted, subject to the conditions set forth. Since the request appears to be reasonable, the Council finds that the public interest will be served by the adoption of this ordinance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

The Code of Ordinances of the City of Grand Junction is hereby amended by the addition of a new section in Chapter 28 numbered 28-9 which shall read as follows:

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.

b. Boundary. A golf cart may be driven upon streets upon the jurisdiction of the City of Grand Junction, excluding county roads, state or federal highways, in 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), nor on any interstate highway within the city limits of Grand Junction.

c. Rules and Restrictions.

(1) No person shall operate a golf cart on any public street in the City of Grand Junction:

(a) unless within the boundaries set forth in b. above;

(b) unless the golf cart is equipped at a minimum with (i) a state approved slow moving triangle mounted on the rear of the cart; and (ii) a rear view mirror; and (iii) an audible warning device; and (iv) a steering wheel; and (v) a foot controlled accelerator; and (vi) a foot brake;

(c) except during the time from 1/2 hour before sunrise to 1/2 hour after sunset;

(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;

(e) unless such person possesses, on the person of the operator, a valid 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 5 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 Title 42 of the Colorado Revised Statutes. 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 Grand Junction Police Department, which permit shall be attached to the golf cart at all times that such cart is being operated upon a city right-of-way.

(i) unless such person has, on their 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 Mesa 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. Permit Required. The Police Chief, after having determined that the golf cart and the operator are in compliance with requirements of this ordinance, shall issue a permit. Such permits will be valid for three years from the date of issuance unless revoked for just cause. Fees for the permit will be \$10.00. The City Council may alter such fees by resolution.

e. Inspection. 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. Insurance. The City Council shall, by resolution, establish the minimum requirements of required insurance.

g. Penalties. Any person who violates any provision of this ordinance is guilty of a misdemeanor which is punishable by a fine of up to and including \$300.00.

h. Severability. It is the intention of the City Council that the provisions of this ordinance are not severable. If any provision of this ordinance is declared unconstitutional or invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall invalidate all of the provisions of this ordinance.

INTRODUCED THIS 4th day of April, 1990.

PASSED and ADOPTED this 18th day of April, 1990.

R. T. Mantlo

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2474, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 4th day of April, 1990, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said City this 19th day of April, 1990.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

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Effective: May 20, 1990