

**CITY OF NEW BALTIMORE
MACOMB COUNTY, MICHIGAN
NOTICE OF ADOPTION
ORDINANCE NO. 245**

AN ORDINANCE TO AMEND THE CITY OF NEW BALTIMORE CODE OF ORDINANCES, CHAPTER 52, TRAFFIC AND VEHICLES, BY ADDING ARTICLE III – GOLF CARTS, TO PROVIDE FOR PURPOSE, DEFINITIONS, OPERATION OF GOLF CARTS ON CITY STREETS, PARKING REGULATIONS, SAFETY REQUIREMENTS, REGISTRATION, PENALTIES, REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

THE CITY OF NEW BALTIMORE ORDAINS:

Section 1. The City of New Baltimore Code of Ordinances, Chapter 52, Traffic and Vehicles, is hereby amended by adding Article III – Golf Carts, to provide as follows:

ARTICLE III – GOLF CARTS

Sec. 52-50 – Purpose.

Whereas, Public Act 491 of 2014 recently amended Public Act 300 of 1949, commonly known as the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923, and as adopted by reference through the City of New Baltimore Ordinances, which created a new section to the Michigan Vehicle Code which allows for the limited and regulated use of golf carts on public streets and highways. Under the amended Michigan Vehicle Code, local units of government may allow for the limited and regulated use of golf carts on their streets and highways under the terms and conditions specified in MCL 257.657a.

These regulations are intended to secure the public peace, health and safety of the residents and property owners of the City of New Baltimore for the regulation of the use of golf carts on public roads within the corporate limits of the City and to provide penalties for the violation of these provisions.

Sec. 52-51 – Definitions.

The following words, terms and phrases, when used in this appendix, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Driver License means an operator's or chauffeur's license or permit issued by the secretary of state under chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to 257.329, as amended, to operate a vehicle, whether or not conditions are attached to the license or permit.

Golf Cart means a vehicle designed for transportation while playing the game of golf. Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.

Maintained Portion means a road improved, designated or ordinarily used for vehicular traffic.

Operate means to ride in or on, or be in actual physical control of the golf cart.

Operator means a person who operates or is in actual physical control of the golf cart.

Street means a road, roadway, street or right-of-way within the City of New Baltimore street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

Sunset and **Sunrise** as determined by the National Weather Service on any given day.

Sec. 52-52 – Operation of Golf Carts on City Streets.

A person may operate a golf cart on City streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL Section 257.648, as amended, that apply to the operation of a vehicle.
- (3) All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- (4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (6) A person shall not operate a golf cart on a state trunk line highway or county road, or cross a state trunkline highway or county road .

- (7) 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. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- (8) 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 an unoccupied lane, in the case of a one-way street.
- (9) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 35 miles per hour except to cross that roadway or street.
- (10) A golf cart shall not be operated on the streets of the City one-half hour before sunset until one-half hour after sunrise.
- (11) An operator or a passenger in a golf cart is not required to wear a crash helmet.
- (12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed.
- (13) A golf cart operated on a street of the City is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL Section 500.3101, as amended. However, the owner or business entity shall provide proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy selected by the owner or business entity, for coverage of personal injury and/or property damage resulting from operation of the subject golf cart. The minimum amount of coverage shall be no less than \$300,000.00, and the City of New Baltimore shall be named as an additional insured, primary and noncontributory. Proof must be shown at the time of inspection and registration with the New Baltimore Code Enforcement Officer.
- (14) A golf cart shall not be operated during weather events with snow and/or ice on the ground.
- (15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, 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.
- (16) This section does not apply to a police officer, City officials, employees, contractors or volunteers operating a golf cart in the performance of City duties or approved as part of an event permitted by the City.

Sec. 52-53 – Parking Regulations.

The parking, stopping, and standing regulations provided in the City Code, which are adopted by reference herein, shall also apply to golf carts operated in the City, as if they are motor vehicles under those provisions.

Sec. 52-54 – Operation Limited to Certain Locations.

A golf cart may be operated only within an owner's subdivision, and that owner is prohibited from crossing or being on a road with a speed limit of more than 35 mph or M-29/Green Street. Restrictions include such places as Woodland Drive, Willow Creek Subdivision, Andrews Subdivision, Harbor Creek Subdivision, and Bauer Ridge Subdivision, by way of example. Also, golf cart use is restricted to the area south of M-29/Green Street, east from the intersection of Main Street and Green Street to Eley Street.

Sec. 52-55 – Safety Requirements.

A golf cart operated in the City of New Baltimore shall be inspected by the City of New Baltimore Code Enforcement Officer, and must meet all of the following vehicle safety requirements of a low-speed vehicle for approval under this article:

- (1) At least two headlamps that comply with MCL 257.685.
- (2) At least one tail lamp that complies with MCL 257.686.
- (3) At least one stop lamp and one lamp or mechanical signal device that comply with MCL 257.697 and 257.697b.
- (4) One rearview mirror.
- (5) A horn that complies with MCL 257.706.
- (6) A windshield that complies with MCL 257.708a.

Sec. 52-56 – Registration.

- (1) A golf cart operated on a City street under this article is not required to be registered under the Michigan Vehicle Code for purposes of MCL 500.3101.
- (2) All golf carts intended for street use shall be registered with the City of New Baltimore by the owner(s) or operator(s) of those golf carts prior to operating the same on any City street.
- (3) To be registered, all golf carts must be inspected for and meet the requirements of Section 52-55.

- (4) A registration sticker shall be provided by the City of New Baltimore at no cost to the registrant. The registration sticker must be affixed in plain view on the driver's side of the golf cart below the seating area at all times it is operated on City streets.

Sec. 52-57 – Penalties.

Violation of any of the provisions of this section shall be penalized as a civil infraction carrying a fine of up to \$500.

Section 2. Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining provisions, it being the intent of the city that this ordinance shall be fully severable.

Section 3. Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent to give this ordinance full force and affect.

Section 4. Effective Date. This ordinance shall become effective twenty (20) days after publication.

ORDINANCE DECLARED ADOPTED.

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Marcella Shinska, City Clerk
City of New Baltimore