

CITY OF BUFFALO, IOWA
Ordinance 486

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BUFFALO, IOWA, BY ADDING A NEW CHAPTER TO TRAFFIC AND VEHICLES TO AUTHORIZE THE OPERATION OF GOLF CARTS ON CITY STREETS IN THE CITY OF BUFFALO, IOWA, PURSUANT TO IOWA CODE SECTION 321.247, AND IMPOSING SAFETY REQUIREMENTS, AND REQUIRING A SPECIAL PERMIT.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BUFFALO, IOWA:

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Buffalo, Iowa, is amended by adding a new Chapter 8 GOLF CARTS to TITLE II - COMMUNITY PROTECTION DIVISION 1 - LAW ENFORCEMENT, including new Sections numbered 2.1-8.0101 through 2.1-8.108, entitled **GOLF CARTS**, which is hereby adopted to read as follows:

2.1-8.101 PURPOSE. The purpose of this Chapter is to permit the operation of golf carts on certain streets in the City of Buffalo, Iowa, as authorized by Section 321.247, Code of Iowa, as amended. This Chapter shall be applicable whenever a golf cart is operated on any street or alley, within the City as provided in this Chapter.

2.1-8.102 DEFINITIONS. As used in this chapter, unless the context otherwise requires:

1. "*Golf cart*" means a three or four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf.

2. "*Operate*" means to ride in or on, other than as a passenger, use or, control the operation of a golf cart in any manner, whether or not the golf cart is moving.

3. "*Operator*" mean a person, who operates or is in actual physical control of a golf cart.

4. "*Roadway*" means that portion of a highway improved, designated, or ordinarily used for vehicular travel.

5. "*Street or Highway*" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular travel.

2.1-8.103 OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon the streets of Buffalo, Iowa, by persons possessing a valid Iowa operator's license and at least eighteen (18) years of age, except as otherwise prohibited by this Chapter or the Code of Iowa.

2.1-8.104 PROHIBITED STREETS AND OTHER RESTRICTED AREAS OF OPERATION. Golf carts shall not be operated upon a City street which is a primary road extension through the City. Primary road extensions are those streets that are also a State Highway. Golf carts are also prohibited from traveling on the following streets within the City of Buffalo:

1. Highway 22 (Front Street)
2. Jefferson Street
3. Dodge Street

2.1-8.105 OPERATION.

1. Traffic Code. Any person operating a golf cart, including those for which a City of Buffalo permit has been issued, shall adhere to all traffic signs and signals, and all other traffic rules and regulations and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic or the direction of a fire department officer during a fire.

2. Speed. No golf cart shall be operated at a speed in excess of the lesser of 25 miles per hour or a posted speed limit, nor shall any golf cart be operated at a speed greater than is reasonable and proper for the existing conditions.

3. Trails. Golf carts shall not be operated on any recreational, bike or walking trails, unless the trail is specifically designed to allow use of motor vehicles. A golf cart may be driven directly across a recreational, bike or walking trail only at an established crossing.

4. Sidewalks. Golf carts shall not be operated upon sidewalks.

5. Parking. Golf carts shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk, referred to as "the parking".

6. Direct Crossing. Golf carts may make a direct crossing of a prohibited street provided:

A. The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;

B. The golf cart is brought to a complete stop before crossing the street;

C. The driver/operator yields the right-of-way to all on-coming traffic which constitutes an immediate hazard.

7. Parks. Golf carts shall not be operated within City parks and other land owned by the City, unless for a special event authorized by the City Council and the operator possesses a valid permit issued by the City of Buffalo.

8. Equipment. Golf carts operated upon streets within the City of Buffalo shall be equipped with at least the follows:

A. Slow moving vehicle sign;

- B. A bicycle safety flag, the top of which shall be a minimum of 5 feet from ground level; if cart has a canopy the flag must be above the canopy
- C. Adequate brakes.

9. Hours of Operation. Golf carts may be operated on City streets only from sunrise to sunset.

10. Riding on Golf Carts. A person operating a golf cart shall not ride other than on a permanent seat which is designed to be a part of the golf cart and permanently attached thereto. No golf cart shall be used to carry more persons at one time than the number for which it is designed and equipped. All riders are required to be seated.

11. Permits. No person shall operate a golf cart on any public street or alley for any purpose unless the operator possesses a City of Buffalo permit to operate a golf cart on City streets, issued by the Buffalo Police Chief or authorized designee.

A. Golf cart owners may apply for a permit from the Buffalo Police Chief on forms provided by the City;

B. The Police Chief shall not issue a permit until the owner/operator has provided the following:

i. Evidence that the operator is at least eighteen (18) years of age and possesses a valid driver's license.

ii. Proof that the owner/operator has liability insurance covering operation of golf carts on City streets, in minimum amount of \$100,000.

C. The Applicant for a permit to operate a golf cart on the City streets, as a part of the Application, shall verify the golf cart complies with State law and the provisions of this Chapter;

D. The operator of a golf cart shall prominently display the Buffalo permit on a rear fender or similar component of the golf cart;

E. The fee for a permit to operate a golf cart on the City streets and alleys shall be **\$25.00 annually**.

2.1-8.106 MOTOR VEHICLE LAW. Persons authorized to operate golf carts pursuant to this Chapter shall obey all statutes and ordinances governing the operation of motor vehicles to the extent practically applicable.

2.1-8.107 GOLF CART INSURANCE. Financial responsibility required. The owner/operator of every golf cart being operated upon the streets and alleys of the City of Buffalo, Iowa, shall have in effect liability insurance covering operation of the golf cart in the same limits, as required of automobiles by the financial responsibility provision of Section 321A, Code of Iowa.

2.1-8.108 VIOLATION AND PENALTY.

1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) and revocation of the City of Buffalo permit for a period of two (2) months.
2. Any person guilty of violating this Ordinance two (2) times in a twelve (12) month period shall be subject to a fine of two hundred dollars (\$200.00) and revocation of the City of Buffalo permit for a period of two (2) years.
3. Any person guilty of violating this Ordinance three (3) times shall be subject to a fine of three hundred dollars (\$300.00) and permanent revocation of the City of Buffalo permit.

SECTION 2. REPEALER. The Code of Ordinances of the City of Buffalo, Iowa, is hereby amended by adding Chapter 8 to TITLE II - COMMUNITY PROTECTION DIVISION 1 - LAW ENFORCEMENT. All other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

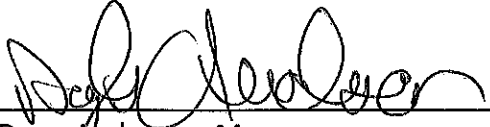
SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the Council the 03rd day of August 2015, and **APPROVED** this 03rd day of August, 2015.

Passed by the City Council of the City of Buffalo, Iowa, this 03rd day of August, 2015.

Approved and signed by the Mayor of Buffalo, Iowa, this 03rd day of August, 2015.



Doug Anderson, Mayor

Attest: Tanna Leonard
Tanna Leonard, City Clerk

Date of 1st reading: July 6, 2015

Date of 2nd reading: August 3, 2015

Date of 3rd reading: September 08, 2015

Date of Publication: September 17, 2015

COPY OF NOTICE

AFFIDAVIT OF PUBLICATION

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SECTION 321.247, AND IMPOSING SAFETY REQUIREMENTS, AND REQUIRING A SPECIAL PERMIT. BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BUFFALO, IOWA: SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Buffalo, Iowa, is amended by adding a new Chapter 8 GOLF CARTS to TITLE II - COMMUNITY PROTECTION

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2.1-8.103 OPERATION OF GOLF CARTS PERMITTED. Golf carts may be

STATE OF IOWA }
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is hereto annexed as Exhibit "A" and made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the following dates:

9-17

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Kim Coopman

Subscribed and sworn to before me by said affiant this

17th

day of

September

20 *15*

Stephen H Thor



STEPHEN H. THOR
Commission Number 168839
My Commission Expires
3-24-16

Notary Public in and for Scott County, Iowa