

ORDINANCE NO. 4, FOURTH SERIES

AN ORDINANCE OF THE CITY OF GLENWOOD, MINNESOTA, REPEALING AND REPLACING CITY CODE CHAPTER 70.06 SPECIAL VEHICLE USE BY DISABLED

The City Commission of Glenwood, Minnesota ordains:

SECTION 1. Chapter 70, Section 70.06, of the Glenwood City Code is repealed and replaced to read as follows:

CHAPTER 70.06: GOLF CARTS

SECTIONS:

70.06.01 Definitions

70.06.02 Permits

70.06.03 Permit Issuance

70.06.04 Designated Roadways and Intersections

70.06.05 Fees

70.06.06 Operation

70.06.07 Penalty

§ 70.06.01 **DEFINITIONS.**

MOTORIZED GOLF CART. Any passenger conveyance being driven with three or four wheels with three or four low pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.

SUNRISE TO SUNSET. Sunrise to sunset shall be the times provided in the MN Department of Natural Resources sunrise/sunset calculation tables.

§ 70.06.02 **PERMITS.**

It shall be unlawful for any person to operate a motorized golf cart on any roadways and intersections in the city without having first obtained a permit, as provided in Glenwood City Code § 70.06.03. Persons who obtain a permit under Glenwood City Code §70.06.03 are authorized to operate a motorized golf cart on designated roadways, or portions of roadways, as identified in Glenwood City Code §70.06.04. Every motorized golf cart operator must have proof of insurance and a valid permit displayed on the vehicle while operating the motorized golf cart on designated streets and shall produce such proof of insurance on demand of a police officer, as specified in Minn. Stat. § 169.791. A permit is not required and the provisions of this ordinance do not apply to employees of the City of Glenwood operating equipment for purposes of their employment duties or official city business.

Penalty, see § 70.06.07

§ 70.06.03 **PERMIT ISSUANCE.**

Permits shall be issued by the city administrator, or authorized designee, upon compliance with this subchapter.

(A) Vehicle permit. Permits may be issued in the following method:

- a. Permits will be issued for golf carts defined under §70.06.01 upon completion of an application and payment of a fee as designated by the city commission. Applications will be required to provide the following:
 1. The name, address, and signature of the applicant.
 2. The make, model name, and year of the specific vehicle applied for.
 3. Proof of insurance in compliance with Minn. Stat. § 65B.48
 4. Appropriate fee determined by resolution of the city commission.

(B) Liability. The operation of golf carts under this subchapter shall be at the risk and responsibility of the operator. The city, by passing this subchapter of permission and designation under state law, assumes no responsibility for the operation of the golf carts and shall be held harmless in any action arising from the operation of golf carts on or off any public way within the city.

(C) Revocation of permit. An individual permit may be revoked or suspended by the chief of police or city administrator if there is any material misrepresentation made in the permit application, liability

insurance is no longer in effect, or there is evidence that the permittee cannot safely operate the motorized golf cart. The chief of police or city administrator shall issue a notice of suspension or revocation of a permit in writing and either hand deliver the notice to the permit holder or send the notice by certified mail to the address on the application. The suspension or revocation shall be in effect immediately after personal service or three days after mailing. Suspension or revocation of the permit may be appealed to the city commission by written notice provided to the City of Glenwood within thirty (30) days of receipt of notice of revocation. The city commission shall conduct an informal hearing and make a final determination on the validity of the suspension or revocation within thirty (30) days of receipt of the appeal.

(D) Term of permit. Permits shall be issued for the time period running from January 1 until December 31 of each year. Permits shall not be prorated and a new permit is required each year. Permits may be issued for alternative time periods as determined by resolution of the city commission.

(E) Community event permits. Community event permits must be obtained from the city by the organizer of the community event. The community event permit must include all motorized golf carts used in connection with the event. Vehicles covered under a community event permit shall be marked in a manner designated by the city administrator when a community event permit is issued. Community event permits shall be granted for the length of the event and shall expire upon the conclusion of the event. Prior to issuing a community event permit, the city shall determine, in its sole discretion, whether a community event permit is in the public interest.

a. Application. Every application for a community event permit under this chapter shall be made on a form supplied by the city and shall contain the following:

1. The name and address of the organizer of the community event;
2. A description of the community event, including how and where any motorized golf carts will be used.
3. The number of motorized golf carts to be used in the event;
4. The name of the owner of each cart;
5. Proof of insurance for each vehicle used in the community event;
6. Payment of a community event permit fee in an amount established from time to time by resolution of the city commission; and
7. Such other information as the city may require.

§ 70.06.04 DESIGNATED ROADWAYS AND INTERSECTIONS.

A motorized golf cart may be driven, operated, or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Glenwood (not those under the jurisdiction of Pope County or the State of Minnesota), except such roadways prohibited by resolution of the city commission and only in compliance with this subchapter. Motorized golf carts shall not travel on state trunk highways except to make a direct crossing at designated intersections. If the city commission elects to prohibit certain

roadways from motorized golf cart travel, the city administrator shall prepare a map for the purpose of identifying designated roadways allowed or prohibited for motorized golf cart travel.

§ 70.06.05 FEES.

An annual permit fee shall be established from time to time by adoption in the fee schedule of the city by the city commission. Alternative permit time periods and fees may be adopted by resolution of the City Commission.

§ 70.06.06 OPERATION.

No motorized golf cart shall be driven, operated, or controlled on the roadways or shoulders of roadways under the jurisdiction of the City of Glenwood:

(A) Unless equipped with an operable rear-facing brake light which shall emit a red or yellow light and which shall be plainly visible and understandable from a distance of one hundred (100) feet to the rear.

(B) During the hours from sunset to sunrise unless equipped with original equipment headlights, taillights, a rear-facing brake light(s), and turn signals.

(C) In inclement weather when visibility is reduced or impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see a person or vehicle on a roadway at a distance of five hundred (500) feet;

(D) Without prominent display of a slow-moving vehicle emblem on the rear of such vehicle, as provided in M.S. § 169.522.

(E) Without liability insurance coverage;

(F) Contrary to any traffic laws of the City of Glenwood or the State of Minnesota, except those which cannot reasonably be applied to motorized golf carts or are not applied by reason of M.S. § 169.045, subd. 7;

(G) Contrary to any provisions of the city code;

(H) Without a valid city-issued permit displayed;

(J) No person shall operate a motorized golf cart on a public sidewalk, trail, or park unless otherwise expressly authorized by the city. This prohibition shall not include the asphalt roadway within Barsness Park but does apply to all other trails, paths, and park grounds within Barsness Park; or

(I) Without a valid state-issued driver's license.

Penalty, see § 70.06.07

§ 70.06.07 PENALTY.

Any person violating the provisions of §§70.06.01 through 70.06.06 shall be guilty of a misdemeanor.

Passed by the City Commission of Glenwood, Minnesota this ____ day of _____,
2022.

Mayor

Attested: _____

City Clerk

