

## **CERRO GORDO COUNTY ORDINANCE NO. 55**

### **AN ORDINANCE REGULATING USAGE OF GOLF CARTS IN UNINCORPORATED AREAS OF CERRO GORDO COUNTY**

#### **SECTION 1. Purpose.**

This ordinance permits the operation of golf carts on certain roads within the County, consistent with Iowa Code Section 321.247. This ordinance applies whenever a golf cart is operated on any County road, subject to the exceptions stated herein.

#### **SECTION 2. Definitions.**

- A. "County" means Cerro Gordo County, Iowa.
- B. "Sheriff" means the duly elected Sheriff of Cerro Gordo County or a sworn law enforcement officer of the Cerro Gordo County Sheriff's Department.

#### **SECTION 3. Applicability of the Iowa Rules of the Road.**

Every person operating a golf cart upon a County road shall be granted all rights and privileges, and shall be subject to all duties and obligations, applicable to the driver of a vehicle, and to the laws of the State declaring the rules of the road applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application.

#### **SECTION 4. Permitted operation.**

Golf carts may be operated on County roads only between the hours of 30 minutes after sunrise to 30 minutes before sunset. Golf carts may be operated on certain County roads only for the purpose of traveling from a point of origin to and from a golf course located within the County. In so doing, the shortest and most direct route to and from the point of origin to the golf course shall be used. No golf cart shall be operated on any County road solely for entertainment and pleasure, or for general transportation purposes.

#### **SECTION 5. Prohibited operation.**

- A. Golf carts shall not be operated in any public park, in any cemetery or other public grounds or on any public sidewalk.
- B. No golf cart shall be operated on private property without the express consent of the owner.
- C. Golf carts shall not be operated on any County road which is a primary road as defined in Section 306.3(6) of the Code of Iowa, as amended, or on any primary road extension through an incorporated area. Golf carts may, however, cross such primary roads and primary road extensions provided:
  - 1. The cross is made perpendicular to the direction of the primary road crossed, and at a point where no obstruction prevents quick and safe crossing;
  - 2. The golf cart is brought to a complete stop before crossing the road;
  - 3. The golf cart operator yields to all oncoming traffic;

4. The crossing is made only at an intersection of the primary road with another County road.
- D. Golf carts shall not be operated on any County road which has a posted speed limit greater than forty-five (45) miles per hour.

#### **SECTION 6. Speed Limit**

No golf cart shall be operated on any County road at a speed in excess of fifteen (15) miles per hour.

#### **SECTION 7. Passengers in Golf Carts.**

No more than two (2) persons shall ride in or on a golf cart while it is being operated on a County road. Any person operating a golf cart shall not ride other than on a permanent regular seat attached thereto.

#### **SECTION 8. Driver's License Required.**

Any person operating a golf cart on a County road must possess a valid motor vehicle license issued by the State of Iowa, or issued by another State, or a driver's license issued by a foreign jurisdiction which the federal highway administration has determined to be issued in conformity with the federal commercial driver testing and licensing standards.

#### **SECTION 9. Required equipment**

Golf carts operated on County roads shall be equipped with the following:

- A. A slow moving vehicle sign;
- B. A bicycle safety flag;
- C. Adequate brakes.

#### **SECTION 9. Registration.**

Golf carts are not subject to the registration provisions of Chapter 321 of the Code of Iowa. The operator of a golf cart, however, is subject to the financial responsibility provisions of Chapter 321A of the Code of Iowa.

#### **SECTION 10. Permit Required.**

- A. No person shall operate a golf cart on any County road without first obtaining a permit from the Sheriff.
- B. Application for a permit shall be made on a form furnished by the Sheriff and shall contain the following information:
  1. The name and address of the owner of the golf cart, and the location where the cart is kept or stored.
  2. The make, color, and type of golf cart, along with a general description of the cart and any identifying numbers.

3. The proposed point of origin, and proposed route along County roads that the golf cart will follow in traveling between that point of origin and the golf course.
- C. The permit application shall be accompanied by a permit fee in the amount of ten dollars (\$10.00), which shall be an annual fee due by January 1 of each year.
- D. If the Sheriff determines that the application is in order and complies with the requirements of this ordinance, the Sheriff shall issue the permit along with a tag, sticker, or other identifying device to be displayed on the golf cart. The permit shall contain an identifying number and indicate the route to be followed in traveling to and from the golf course.
- E. Any golf cart otherwise issued a permit in accordance with the laws of an incorporated area within the County shall not be exempt from this section.

#### **SECTION 11. Enforcement.**

The provisions of this Ordinance shall be enforced by the Cerro Gordo County Sheriff's Department, or may be enforced by any law enforcement agency or officer. The Cerro Gordo County Sheriff's Department shall have primary but not exclusive enforcement responsibility for this Ordinance.

#### **SECTION 12. Penalty.**

In addition to the suspension or revocation of the permit, a person who violated this Ordinance is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code.

#### **SECTION 13. Applicability.**

In the event of a difference between the provisions of this Ordinance and those contained in applicable state rules and regulations, the most stringent standards will prevail.

#### **SECTION 14. Repealer.**

This Ordinance repeals all resolutions, ordinances or regulations and parts of resolutions, ordinances, and regulations in conflict herewith.

#### **SECTION 15. Severability Clause.**

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

#### **SECTION 16. Effective Date.**

This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

#### **SECTION 17. Enactment.**

First Consideration: November 6, 2012

Second and Final Consideration: November 20, 2012

Third Consideration waived on October 23, 2012.

Passed and approved this 20<sup>th</sup> day of November, 2012.

Vote taken as follows:

AYES—

NAYS—

ABSENT—

SIGNED:

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Robert E. Amosson, Chair  
Cerro Gordo County Board of Supervisors

ATTEST:

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Sandy S. Shonka, Deputy Auditor  
Cerro Gordo County