

(Published in the CLYDE REPUBLICAN on January 14, 2010)

ORDINANCE NO. 690

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CLYDE; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; PROHIBITING OTHER ALL-TERRAIN AND OFF ROAD VEHICLES; AND, PROVIDING FOR THE REPEAL OF ORDINANCE NUMBER 603 OF THE CITY OF CLYDE

Be it Ordained by the Governing Body of the City of Clyde, Kansas:

Section 1. OPERATION OF GOLF CARTS. (a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than 30 miles per hour.

(b) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise without appropriate lighting.

(c) Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

Section 2. VALID DRIVER'S LICENSE REQUIRED; PENALTY. No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

Section 3. DEFINITION: "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver.

Section 4. PENALTY. Unless specifically provided herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 5. DISPLAY OF SLOW-MOVING VEHICLE EMBLEM. (a) It shall be illegal to operate a golf cart vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays an orange flag mounted no less than 84" off of ground level on the rear of the vehicle. The flag must be at least 40 square inches in size and triangular in shape.

Section 6. VEHICLES PROHIBITED. All-terrain vehicles or off-road vehicles which do not meet the golf cart definition, as set forth in Section 3 of this ordinance, shall not be operated on any public highway, street, road or alley within the corporate limits of the city. A violation of this

section shall be punishable upon conviction of a fine not to exceed \$500.00 or confinement in jail not to exceed ninety (90) days or both.

Section 7. REPEAL. Ordinance No. 603 of the City of Clyde is hereby repealed.

Section 8. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper, CLYDE REPUBLICAN and shall take effect and be in force from and after said publication.

Passed by the City Council this 6<sup>th</sup> day of January, 2010.

Signed by the Mayor this 6<sup>th</sup> day of January, 2010.

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Terry S. Koch, Mayor

ATTEST:

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Gayla A. Rogers, City Clerk

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