

## CHAPTER 78

# GOLF CARTS AND UTILITY TRAIL VEHICLES (UTV)

78.01 Purpose	78.06 Speed
78.02 Definitions	78.07 Passengers
78.03 Operation of Golf Carts and UTVs Permitted	78.08 Operation
78.04 Required Equipment	78.09 Permits
78.05 Hours of Operation	78.10 Violation and Penalty

**78.01 PURPOSE.** The purpose of this chapter is to permit the operation of golf carts, as authorized by Section 321.247 of the *Code of Iowa*, as amended and “UTV” (Utility Trail Vehicle), on certain streets in the City. This chapter applies whenever a golf cart or UTV is operated on any City street or alley, subject to the exceptions stated herein.

### 78.02 DEFINITIONS.

1. “Golf cart” means a four wheeled recreational vehicle generally used for transportation of person(s) in the sport of golf, that is limited in engine displacement to less than 800 cubic centimeters (or the electric equivalent) and total dry weight of less than 800 pounds. Note that a vehicle with appearance of a “golf cart” but satisfying the requirements of 49 CFR 572.500 (i.e., is a “low speed vehicle”) is not subject to this chapter but rather to the *Code of Iowa* 321.381A.

2. “UTV” means a motorized vehicle, with not less than four and not more than eight nonhighway tires or rubberized tracks, that is limited in engine displacement to less than 1500 cubic centimeters and in total dry weight to no more than 2000 pounds and that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

**78.03 OPERATION OF GOLF CARTS AND UTVS PERMITTED.** Golf carts and UTVs may be operated upon the streets of the City by persons possessing a valid Iowa operator’s license and at least sixteen (16) years of age, except as prohibited in Section 78.08.

1. In addition to having a valid drivers’ license persons under 18 years of age are required to have ATV/UTV safety certificate from the Iowa DNR to operate a UTV on the roadways.

**78.04 REQUIRED EQUIPMENT.** Golf carts and UTVs operated upon City streets shall be equipped with at least the following:

1. A slow moving vehicle sign.
2. An orange safety flag, the top of which shall be a minimum of five (5) feet above the ground level.
3. Adequate and functional brakes.
4. Rear view or side mirrors.
5. Adequate exhaust and muffler system.

**78.05 HOURS OF OPERATION.** Golf carts and UTVs may be operated on City streets only between sunrise and sunset.

Ambulance, fire, law enforcement and Leon Public School golf carts and UTVs are exempt from these hours of operation in performance of their duties.

**78.06 SPEED.** Golf carts and UTVs shall be subject to posted speed limits.

**78.07 PASSENGERS.** Passengers must remain seated at all times when the vehicle is in motion.

**78.08 OPERATION.**

1. Except as noted otherwise, therein, any person operating a golf cart or UTV on City streets or alleys shall adhere to all traffic signs and signals, and all other City of Leon and State of Iowa 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. This ordinance forbids the operation of golf carts and UTVs on:

A. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor vehicles.

B. Sidewalks.

C. City parks or any other land owned by the City, unless permission is granted by the City Council.

D. Private property without the consent of the property owner.

E. Primary road extensions through the City limits, however, golf carts and UTVs may cross these roads at approximately a ninety (90) degree angle after yielding the right of way to cross traffic. Ambulance, fire, law enforcement and Leon Public School golf carts and UTVs are exempt from these restrictions in performance of their duties.

3. Street Etiquette:

A. Except when executing a left turn, golf carts and UTVs shall be driven as close as practical to the right hand edge of any street or alley.

B. When necessary to prevent congestion of traffic, golf carts and UTVs shall be pulled to the right hand edge of streets and alleys and be stopped to allow other motor vehicles traveling in the same direction to pass.

C. When two or more golf carts or UTVs are being operated in the same direction and general vicinity on a City street or alley, they shall proceed in single file.

4. Parking: A golf cart or UTV may be parked on City streets or parking lots only in designated parking spaces.

**78.09 PERMITS.** Golf carts and UTVs must be registered with the City of Leon before operating on any public street or alley.

1. A permit shall be issued once the owner has provided the following:

A. Proof that the owner has liability insurance covering operation of a golf cart or UTV on City streets with limits of liability at least as great as those required by the *Code of Iowa* Chapter 321A.1(11) as amended.

- B. Inspection and approval by the Police Department of the City of Leon.
2. Any golf cart or UTV operated on the City streets shall display the City of Leon permit sticker prominently on the rear left fender or similar component.
  3. All applications shall uniquely identify name(s) and address(s) of the owner and shall be for specific golf cart or UTV, as evidenced by its serial number.
  4. The fee for such permits shall be fifteen dollars (\$15) per year. The fee will not be pro-rated for permits purchased during the year. The fee will not be refunded if the golf cart or UTV is sold, or the permit is suspended or revoked.
  5. All permits will expire on June 30. Permits may be purchased at any time.
  6. The permit may be suspended or revoked per Section 78.10.
  7. Businesses selling golf carts or UTVs are exempt from having to obtain permits.
  8. UTVs must comply with all applicable state regulations.

#### **78.10 VIOLATION AND PENALTY.**

1. A violation of this ordinance shall be considered a municipal infraction as defined in Chapter 4 Section 4.03 and 4.04 of this Code of Ordinances.
2. For a first offense in a 12 month period the civil penalty shall be \$50.00.
3. For a second offense in a 12 month period the civil penalty shall be \$100.00 and revocation of the City of Leon permit for 60 days.
4. For a third or subsequent offenses in a 12 month period the civil penalty shall be \$200.00 and revocation of the City of Leon permit for 180 days.
5. To all of the above fines shall be added the surcharge and costs pursuant to the Iowa Code and Leon City Code.

*(Ch. 78 – Ord. 2018-1 – Dec. 18 Supp.)*

[The next page is 395]