

ORDINANCE NO. 02-22

**ORDINANCE AMENDING TITLE OF ARTICLE IVA OF CHAPTER 262
AND CREATING § 262-18.10 OF THE CODE OF
THE VILLAGE OF BELGIUM, OZAUKEE COUNTY, WISCONSIN**

BE IT ORDAINED, by the Village Board of the Village of Belgium, Ozaukee County, Wisconsin, that the title of Article IVA of Chapter 262 is hereby amended and § 262-18.10 is hereby created to read as follows:

**Chapter 262
VEHICLES AND TRAFFIC**

ARTICLE IVA

All-Terrain Vehicles and Utility Terrain Vehicles; Golf Carts

§ 262-18.10. Golf carts.

- A. Purpose. The purpose of this section is to establish regulations to ensure the safety and welfare of persons and property relative to the operation of golf carts on public streets within the Village.
- B. Definitions. As used in this section, "golf cart" is defined as a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour on a paved, level surface.
- C. Operation of golf carts allowed; exceptions.
 - (1) Allowed - The operation of golf carts on the public streets within the Village where the speed limit is 25 miles per hour or less in compliance with the provisions of this section shall be permitted; however, it shall be unlawful to operate any golf cart that is not properly registered with the Village or operate any golf cart at any place, time or in any manner not authorized herein or in violation of the provisions of this section.
 - (2) Exceptions. The operation of golf carts is not subject to the provisions of this section under the following circumstances:
 - (a) The operation of golf carts at golf courses or on private property, with the consent of the owner.
 - (b) The use of a golf cart in connection with a parade, a festival or other special event, provided the consent of the event sponsor is obtained and provided the golf cart is used only during such event.

D. License Required.

No person who is less than 16 years of age or who does not have a valid driver's license issued by the State of Wisconsin or some other state may operate a golf cart on any public street within the Village. For purposes of this section, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked or suspended for any reason be considered as a valid driver's license during the period of suspension or revocation.

E. Registration.

- (1) Registration required. No golf cart may be operated on any public street within the Village unless the golf cart has first been registered with the Village Clerk as required herein. The registration shall be renewed thereafter in accordance with the provisions of this section. To evidence the registration, the owner shall be issued an annual permit which shall be displayed in a prominent, visible place on the rear fender of the golf cart or at such other place as may be approved by the Village Marshal. The permit may contain a registration number assigned for the golf cart and may contain an expiration date. The permit shall be valid for one year from July 1 to June 30. A registration fee in the amount established by resolution of the Village Board shall be paid to the Village at the time the application for registration is filed with the Village Clerk or for any renewal of the application.
- (2) Application. The application for registration shall be made to the Village Clerk on forms provided by the Village. The application may, among other things, require the owner's name, street address, mailing address, a phone number, the make, model and identification or serial number of the golf cart, proof of insurance as described below, and such other information as may be reasonably required, as well as a release or disclaimer of liability by the Village for accidents involving the registered golf cart.
- (3) Proof of liability insurance. The owner of the golf cart must provide a certificate of insurance listing the company, policy term, and minimum limits of liability of \$100,000 per person, \$300,000 per accident and \$5,000 medical.
- (4) Inspection. Prior to issuing the initial registration permit or any renewal thereof, the golf cart shall either be inspected by the Village Marshal or, in place of inspection, the Village Marshal may require photographs submitted of the golf cart, to determine that:
 - (a) The golf cart is equipped with a rear vision mirror and at least two red rear reflectors at least three inches in height and width;
 - (b) The golf cart is equipped with a reflective "slow moving" sign or flag on the rear of the cart;
 - (c) The brakes provided by the manufacturer of the golf cart are in proper working order;

- (d) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour, nor otherwise modified in any way that creates a hazard; and
 - (e) The golf cart is equipped with all mechanical systems and safety equipment required by this section.
- (5) Denial and revocation. The initial registration of a golf cart may be denied or subsequently revoked by the Village Clerk if it is determined that:
- (a) The application contains any material misrepresentation;
 - (b) The golf cart is not in compliance with the requirements of this section;
 - (c) The golf cart has been altered or customized and no longer meets the definition of a golf cart;
 - (d) Equipment supplied by the manufacturer, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number has been removed; or
 - (e) Other good cause shown including repeated violations of this section.

F. Operational regulations.

Golf carts shall not be operated on the public streets of the Village, except in full compliance with the following:

- (a) Hours of operation. Golf carts may be driven on approved public streets from sunrise until sunset, except that golf carts equipped with at least one operating headlight having at least a 55-watt halogen or equivalent bulb on the front of the golf cart and two operating red taillights on either side of the rear of the golf cart, all of which are visible from a distance of 250 feet, may be operated one-half hour before sunrise until one-half hour after sunset. Golf carts may not be operated when fog, smog, smoke, snow or other conditions reduce visibility so that the golf cart is not visible for a distance of 250 feet.
- (b) Motor vehicle laws. All laws regarding the use of motor vehicles in the State of Wisconsin and all ordinances regarding the use of motor vehicles in the Village not inconsistent therewith shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour.
- (c) Right-of-way. The operator of a golf cart shall yield the right-of-way to motor vehicles and pedestrians. Golf carts shall operate in a single-file on the far right side of the roadway with the flow of traffic.
- (d) Public property and sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, public park, bike path, or public trail except by Village personnel while on Village business. Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or leased by the Village except with the express written consent of the Village Board and upon the terms and conditions as may be set forth in such written consent, or to gain access to a parking lot for purposes of parking.
- (e) Golf cart capacity. The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and all riders must remain seated at all times while the golf cart is in operation.
- (f) Commercial purposes. Golf carts may not be used for the commercial carrying of passengers or the hauling of freight.

- (g) Parking. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.
- (h) Towing. Golf carts may not be used for the purpose of towing another cart, trailer, or vehicle of any kind or for towing a person on rollerskates, skateboard, or bicycle.

G. Disclaimer and liability.

- (a) Disclaimer. Golf carts are not designed for nor manufactured to be used on public streets and the Village neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads, and highways. The Village in no way shall be liable for accidents, injuries or death involving the operation of a golf cart.
- (b) Assumption of risk. Any person who owns, operates, or rides upon a golf cart on a public street, road or highway within the Village does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

H. Violations and penalties.

If any person shall violate this chapter, he or she shall be subject to loss of the registration permit issued under this section for a period of one year and a forfeiture as provided in Chapter 1, § 1-5, of this Code.

This ordinance shall become effective upon its passage and posting.

Dated this 11 day of April, 2022.



Pete Anzia
Village President

ATTEST:



Julie Lesar
Village Clerk