

ORDINANCE NO. 2020-001

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF NEW SHARON, IOWA, BY AMENDING
PROVISIONS RELATING TO GOLF CARTS**

BE IT ENACTED by the City Council of the City of New Sharon, Iowa:

SECTION 1. SECTION MODIFIED. Section 77.02 of the Code of Ordinances of the City of New Sharon, Iowa, is repealed and the following adopted in lieu thereof:

77.02 OPERATION OF GOLF CARTS PERMITTED. Golf carts may be operated upon the streets of the City by persons at least 16 years of age and possessing a valid driver's license, except as provided in Sections 77.03 of this chapter.

SECTION 2. SECTION MODIFIED. Section 77.06 of the Code of Ordinances of the City of New Sharon, Iowa, is repealed and the following adopted in lieu thereof:

77.06 REGISTRATION REQUIREMENTS.

1. No person shall operate a golf cart upon City streets without a valid permit issued under this Section. The permit issued under this section shall be carried with the operator at all times, and a permit sticker provided by the City must be affixed to the lower left rear corner of the vehicle so that the sticker is visible from the rear of the vehicle.
2. Every owner of a golf cart which is to be operated upon City streets shall first apply for to the City for a permit. No permit may be issued by the City until all the following requirements are met:
 - A. The golf cart must first be inspected by the Chief of Police or the Chief of Police's designee, to ensure that all safety standards and equipment requirements of Iowa Code Chapter 321 are met by the vehicle.
 - B. The owner must provide proof that the golf cart is covered by liability insurance with an annual limit of at least \$300,000.00 (three-hundred thousand dollars).
 - C. A permit application fee of \$25.00 shall be paid at the time of application. The permit fee is non-refundable.

3. Each permit shall be valid for one year, beginning on January 1, and each permit shall expire on December 31.
4. If a person is found to have operated a golf cart in violation of this Chapter or Iowa Code Chapters 321 or 321J, any permit issued under this section shall be suspended for a period of two months for the first violation, two years for a second violation, and permanently for a third or subsequent violation. If the person does not have a valid permit, or if their permit would otherwise expire, the person shall be ineligible for a permit for the prescribed times.

SECTION 3. NEW SECTION. The Code of Ordinances of the City of New Sharon, Iowa, is amended by adding Section 77.07, entitled PASSENGERS, which is hereby adopted to read as follows:

77.07 PASSENGERS A person shall not operate a golf cart with more persons on the golf cart than it was designed to carry.

SECTION 4. NEW SECTION. The Code of Ordinances of the City of New Sharon, Iowa, is amended by adding Section 77.08, entitled PENALTIES, which is hereby adopted to read as follows:

77.08 PENALTIES. A violation of this Chapter shall be a simple misdemeanor, and shall be subject to the following penalties:

1. For a first offense, a fine of not less than \$100.00 (one hundred dollars).
2. For a second offense, a fine of not less than \$200.00 (two hundred dollars).
3. For a third or subsequent offense, a fine of not less than \$300.00 (three hundred dollars).

A person convicted under this Section shall not be sentenced to a term in jail. A violation of this chapter may be initiated by the filing of a uniform citation and complaint. The owner of a golf cart shall be guilty of a violation of this Chapter if the golf cart is operated in violation of this chapter.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 7. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the ____ day of _____, 2020, and approved this ____ day of _____, 2020.

Jeff Long, Mayor

Attest:

Lisa Munn, City Clerk

I certify the foregoing was published as Ordinance No. _____ on the ____ day of _____, 2020.

Lisa Munn, City Clerk