

## ORDINANCE 2020-02

### AN ORDINANCE AMENDING THE REGULATIONS REGARDING THE USE OF GOLF CARTS ON CITY STREETS WITHIN THE CITY OF BERESFORD.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BERESFORD, UNION AND LINCOLN COUNTIES, SOUTH DAKOTA THAT CHAPTER 7.09 OF THE REVISED BERESFORD ORDINANCES BE AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

#### CHAPTER 7.09 - GOLF CARTS

7.0901 Definitions. For purposes of this Chapter, the following words shall have the following meanings:

1. “Golf Cart” - A four wheeled vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course. (SDCL 32-14-13)
2. “Operator” - Every person who operates or is in actual physical control of a golf cart.

7.0902 Golf Cart Operation. Golf carts shall not be allowed to operate within the City except as authorized by state statute or by this Chapter. Golf carts properly operating pursuant to this Chapter shall be allowed to travel on the roadway portion of public streets, alleys and other roadways within the City except those highways where golf carts are prohibited by state statute. An operator of a golf cart shall comply with all City and state traffic rules and regulations applying to vehicles generally, and except that a golf cart shall not be required to have a bell, horn or directional signals.

7.0903 Operation of Golf Cart on State or County Highway or Bike/Walking Trail Prohibited. No person may operate a golf cart on a state or county highway except for crossing from one side of the highway to the other or on the bike/walking trail. A golf cart may cross the state or county highway at a right angle, but only after stopping and yielding the right-of-way to all approaching traffic and crossing as closely as possible to an intersection or approach. (SDCL 32-14-15)

7.0904 Operator’s License and Insurance. No person may operate a golf cart on the streets, alleys, roadways or other public places within the City limits unless the operator has a valid driver’s license and proof that the golf cart is covered by a policy of liability insurance.

7.0905 Violation of Golf Cart Operation. Operating contrary to and in violation of this Chapter shall be deemed prohibited and any operator in violation shall be subject to a fine of \$25.00. The operator of the golf cart found in violation of this Section may, within 72 hours of the time when the notice of violation was given, pay to the office of the City Finance Officer, as a fine for and in full satisfaction of the violation, the sum. If the operator fails to pay the sum within the 72-hour period, he or she may pay to the office of the City Finance Officer, within the next two weeks from the date of violation, as a fine for and in full satisfaction of the violation, the sum of \$50.00. Upon failure of the owner or operator to pay either of the sums to the office of the City Finance Officer within the time periods indicated, and upon conviction of a violation of this Section, the owner or operator shall be fined not less than \$75.00 nor more than \$100.00 plus court costs, which fine shall be collected by the Magistrate Court. Any person claimed to be in violation also has the right to contest the charges or plead “not guilty” within the time periods indicated above, and have the matter transferred to Magistrate Court. The penalties in this Section may be adjusted by resolution of the City Council.

7.0906 Hours of operation. Permitted golf carts may operate on streets, alleys, roadways or other public places under the jurisdiction of the City from dawn until dusk. Operation of a golf cart from dusk until dawn is not allowed on any street, alley, roadway or other public place under the jurisdiction of the City unless the golf cart is equipped with operating head lights and tail lights.

7.0907 Revocation. Any permit issued under this section may be revoked by the City for the violation by licensee of any applicable provisions of this code, state law or city ordinance or for other good cause.

7.0908 Fee. The annual fee for a golf cart permit shall be the same as charged by the Bridges Golf Course for annual cart trail fees and may only be purchased by an adult. Carts covered under a paid trail fee or storage shed fee at The Bridges can obtain a City permit without charge. For the purpose of this section a permit year begins March 1 and ends the last day of February of the following year. Permits shall be affixed in plain view to the front of the golf cart.

First Reading: April 6, 2020

Second Reading: April 20, 2020

Publication Date: April 30, 2020

Effective Date: May 20, 2020

---

Nathan Anderson – Mayor

ATTEST:

---

Elaine Johnson – Finance Officer