

**CITY OF LUNA PIER
MONROE COUNTY, MICHIGAN**

GOLF CART ORDINANCE NO. 241

An Ordinance to regulate the operation of golf carts on certain streets within the City of Luna Pier, Monroe County, Michigan to comply with Michigan Vehicle Code (Excerpt) Act 300 of 1949 257.657a Operation of golf cart on village, city, or township streets.

THE CITY OF LUNA PIER ORDAINS:

Section I.

1. A person shall not operate a golf cart on the streets of the City of Luna Pier unless he or she is at least 16 years old and licensed to operate a motor vehicle.
2. The operator of a golf cart shall comply with the signal requirements of Michigan Compiled Laws Section 257.648 that apply to the operation of a vehicle.
3. A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
4. Golf carts are not allowed on any City Park property other than designated parking areas.
5. A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
6. A golf cart shall not be operated on a sidewalk or bike lane constructed for the use of pedestrians or bicycles. Carts should not operate in a non-motorized trail.
7. A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a highway or street with a speed limit of more than 30 miles per hour except to cross that highway or street.
8. A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.

9. This ordinance does not apply to a police officer operating a golf cart in the performance of his or her official duties.
10. A golf cart operated on a City street under this ordinance is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.
11. As used in this ordinance, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this resolution.
12. To operate during the time period from one-half (1/2) hour before sunset to one-half (1/2) hour after sunrise, all golf carts are required to have a red reflector on both sides of the golf cart and the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle. Unless the golf cart is equipped with head lamps and rear lights and reflectors.
13. Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.
14. All golf carts operating in the City of Luna Pier shall be registered and shall display a registration decal issued by the City on the left front side. Non-residents who register their golf carts with the City shall submit a written sponsorship from a City of Luna Pier resident stating that the resident will act as the host property for the non-resident's golf cart. Neither the registrant nor the sponsor shall park any golf cart trailer in a street or other public parking spaces. Registration is for a three (3) year period, and is not assignable
15. The City of Luna Pier Police Department retains the right to refuse to issue and/or revoke any registration decal from any golf cart for any reason that is felt appropriate to ensure the safety and well-being of the citizens of the City.
16. Any police officer may temporarily suspend any registration decal, and ban further access on any public street or public property by any golf cart, when in the opinion of that officer the golf cart has been used in a manner to cause damage to public property or endangered members of the public.
17. The City Council reserves the right to waive the registration requirements of this ordinance for special events that utilize golf carts.

Section 2. Penalty.

1. Any person or entity that violates disobeys neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

2. Any violation of this Ordinance shall constitute-a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
3. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

1 st offense	\$50.00
2 nd offense	\$75.00
3 rd or subsequent offense	\$100.00

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the City has incurred in connection with the municipal civil infraction.

4. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer(s) of the City or by such other person as the City Council may designate from time to time.

Section 3. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

Section 4. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Inspection of Ordinance.

A copy of this Ordinance may be inspected or purchased at the City Hall, 4357 Buckeye St., Luna Pier, Michigan 48157, during regular posted office hours.

Section 6. Effective Date.

This ordinance shall take effect 30 days after publication as required by law.

City of Luna Pier Clerk

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance Number 241, duly adopted by the City of the City of Luna Pier, Monroe County, Michigan, at a regular meeting held on the 28th day of March, 2019, at which all members were present; and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that minutes of said meeting were kept and have been or will be made available as required by said Act.

I further certify that Welton moved adoption of said Ordinance and that Gramza supported said motion.

I further certify that the following Members voted for adoption of said Ordinance: Welton, Gramza, Grimes, Wakeman, Mayor Gardner; and that the following Members, 0 voted against adoption of said Ordinance

Jolene Upchurch CMC
Deputy Clerk, City of Luna Pier

ATTEST:

James Gardner, Mayor
City of Luna Pier

Adopted: _____
Published: _____
Effective: _____

CITY OF LUNA PIER
4357 Buckeye Street. Luna Pier, Mi. 48157
GOLF CART REGISTRATION PERMIT

DECAL#

Display sticker on left side of cart

OWNER INFORMATION

LAST NAME: _____ FIRST: _____ MIDDLE _____
Physical Address of Owner & Cart plus Mailing Address (if different)
City Address _____ Street Address _____
Street Address _____ Box _____ City/Town _____
City/Town _____
State _____ Zip _____ State _____ Zip _____
Phone# (____) _____ - _____ Alt. Phone# (____) _____ - _____
Driver's license # _____ State issued under _____

CART INFORMATION

Serial # _____ Cart Year _____
(include all letters & numbers)
Make of golf cart (Mfg.) _____ Color _____
Mfg. to seat how many passengers _____ Type _____ Gas or _____ Electric

PLEASE READ CAREFULLY

With the signature below, the owner is certifying that:

1.) The information provided is correct and 2.) They have read and agree to the following:

I have received and understand the City of Luna Pier Golf Cart Ordinance. I acknowledge that I will assume all liability, and I am fully responsible for the operation of the above cart on the streets and roads in Luna Pier, Monroe County, Michigan. I also acknowledge that City of Luna Pier, in providing this privilege, is in no way endorsing the operation of this cart on the streets and roads, and does not and will not assume any liability in the operation of the cart. I agree to indemnify and hold harmless City of Luna Pier for any liability arising from the use of this golf cart. I also understand that City of Luna Pier Police Department and/or City Council interpretation of all the rules and regulations are final. I *have* been advised to obtain **liability insurance** for the cart. I understand that, as the registered cart owner, **I accept both legal and civil responsibility** for any actions committed during the operation and use of the cart, and understand that I will be charged for any violation of the Golf Cart Ordinance.

Owners Signature (required): _____ Date: _____

OFFICE USE ONLY

Cart modifications _____
Permit Revoked _____ Date _____ Appeal Submitted _____ Date _____
____ Approved or _____ Denied Date _____

Authorization: _____ Date _____