

ORDINANCE 558

AN ORDINANCE RELATING TO VEHICLES; TO MODIFY TITLE VII "TRAFFIC CODE", CHAPTER 71 "TRAFFIC REGULATIONS" OF THE CITY OF CHAPPELL CODE OF ORDINANCES TO CREATE SECTION 71.10 "GOLF CART VEHICLES; REGULATIONS."; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CHAPPELL, NEBRASKA:

Section 1. Chapter 71 "Traffic Regulations" Section 71.10 of the Municipal Code of Chappell, Nebraska, is created to read as follows:

71.10 Golf Cart Vehicles; Regulations.

(1) For purposes of this section:

- (a) Golf cart vehicle is a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, is designed and manufactured for operation on a golf course for sporting and recreational purposes, and is not being operated within the boundaries of a golf course. (Neb. Rev. Stat. § 60-622.01)
- (b) Road means a public way for the purposes of vehicular travel, including the entire area within the right-of-way.
- (c) Street means a public way for the purposes of vehicular travel in a city or village and includes the entire area within the right-of-way.

(2) A golf cart vehicle may be operated on streets and highways within the corporate limits of the city/village only if the operator and the vehicle comply with the provisions of this section.

(3) A golf cart vehicle may be operated only between the hours of sunrise and sunset and shall not be operated a speed in excess of thirty-five (35) miles per hour. The operator shall not operate such vehicle at a speed in excess of twenty (20) miles per hour. A golf cart vehicle shall not be operated at any time on any state or federal highway but may be operated upon such highway in order to cross a portion of the highway system which intersects a street as directed in subsection (3) of this section. When operating a golf cart vehicle as authorized in subsection (2) of this section, the headlight and taillight of the vehicle shall be on, if such vehicle is equipped, and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached at the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

(4) Any person operating a golf cart vehicle as authorized in subsection (2) of this section shall have:

- (a) A valid Class O operator's license as provided in Neb. Rev. Stat. 60-4,126; and
- (b) Be 18 years of age or older
- (c) The owner of the golf cart vehicle shall have liability insurance coverage for the golf car vehicle.
- (d) The person operating the golf cart vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.
- (e) The liability insurance coverage shall be subject to limits, exclusive of interest and costs, as follows: Twenty-five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and twenty-five thousand dollars because of injury to or destruction of property of others in any one accident.

(5) The crossing of a street or highway shall be permitted by a golf cart vehicle without complying with subsections (3) and (4) of this section only if:

(a) The crossing is made at any angle of approximately ninety degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;

(c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard; and

(d) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway.

Section 2. A person who violates Section 1 of this ordinance shall be punished as provided generally in the municipal code.

Section 3. Any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

Passed and approved this 5th day of February, 2024.

Mayor

ATTEST:

Ashlea Bauer
City Administrator/Clerk