

# City of Milbank

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## Ordinance # 764

### AN ORDINANCE TO ESTABLISH THE RULES AND REGULATIONS FOR THE OPERATION OF GOLF CARTS ON ROADWAYS WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE CITY COUNCIL of the City of Milbank, Grant County, South Dakota, that a new chapter shall be added to the Milbank Municipal Code as follows:

#### GOLF CARTS

##### Sections:

- 10.67.10 Definitions
- 10.67.11 Golf Cart Operation Generally
- 10.67.12 Operator
- 10.67.13 Registration
- 10.67.14 Seating
- 10.67.15 Penalty

10.67.10 Definitions: For the purposes of this chapter the following terms shall have the meanings ascribed to them:

- A. "Operator" means any person who operates or who is in actual physical control of a golf cart.
- B. "Owner" means any person other than a lien holder having legal title or ownership to a golf cart and entitled to the use or possession thereof.
- C. "Golf Cart" means 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.

10.67.11 Golf Cart Operation Generally. It shall be unlawful to operate a Golf Cart on the roadway portion of public streets, alleys and other roadways within the city except as authorized by state statute or by this Chapter. Golf Carts properly registered 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, except that a golf cart shall not be required to have a bell, horn or directional turn signals.

10.67.12 Operator. It is unlawful to 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 or permit and proof of insurance in their possession. It is unlawful for any person to board or alight from a Golf Cart while the Golf Cart is in motion.

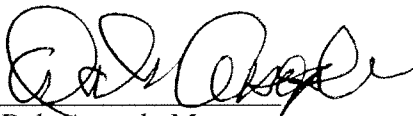
It is unlawful for the owner of a Golf Cart to permit the Golf Cart to be operated contrary to the provisions of this section.

10.67.13 Registration. It shall be unlawful to operate a Golf Cart within the city unless the same shall have been registered by City of Milbank. Upon proper application, the City shall issue a registration sticker which shall be conspicuously displayed on the Golf Cart at all times. The initial registration fee shall be fifty dollars (\$50.00) for each Golf Cart and the annual renewal fee shall be five dollars (\$5.00). The registration shall be renewed on an annual basis in the month of May. The registration shall not expire unless or until (1) the owner fails to renew the registration or (2) the Golf Cart changes ownership. In the event the registration expires because of failure to renew the registration or because of a change in ownership, the owner or new owner must make application for registration of the Golf Cart and pay the initial registration fee.

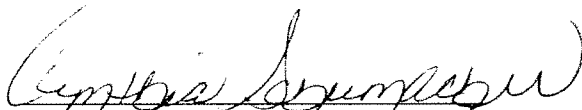
10.67.14 Seating. It shall be unlawful for more than two people to occupy the front seat while the Golf Cart is in motion. In Golf Carts equipped with a rear seat, no more than two people may occupy the rear seat while the cart is in motion.

10.67.15 Penalty. Any person violating the provisions of this Chapter shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished as set forth in Chapter 1.16.

**CITY OF MILBANK**

By:   
Dale Aesoph, Mayor

ATTEST:

  
Cynthia Schumacher, Finance Officer

Passed First Reading: April 12, 2010

Passed Second Reading: May 10, 2010

Adopted and Approved: May 10, 2010

Published: May 19, 2010

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