

ORDINANCE NO. 16 – 323

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MORENCI, MICHIGAN BY ADDING A NEW ARTICLE VII TO CHAPTER 20 WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 20-155 AND SECTION 20-156 TO AUTHORIZE THE OPERATION OF GOLF CARTS ON CITY STREETS PURSUANT TO MCL 257.657a; AND TO PROVIDE FOR VIOLATIONS HEREOF AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH.

THE CITY OF MORENCI ORDAINS:

Section 1. Amendment to Chapter 20 by adding Article VII, Section 20-155 and Section 20-156.

Chapter 20 is amended by adding new Article VII, Section 20-155 and Section 20-156, which provides in its entirety as follows:

Sec. 20-155. Operation of golf carts on city streets.

For the purpose of enforcing the provisions of this chapter, certain terms and words used herein are defined as follows:

City means the City of Morenci.

Driver license means an operator's or chauffeur's license or permit to an individual by the Secretary of State under Chapter III of the Michigan vehicle code, 1949 PA 300, MCL 257.301 to MCL 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.

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 section.

Operate means to ride in or on, or be in actual physical control of the operation of the golf cart.

Operator means a person who operates or is in actual physical control of the operation of a golf cart.

Maintained portion means that portion of a road improved, designated or ordinarily used for vehicular traffic.

Road means a road or street which is in the City of Morenci street system. Road does not include a private road. Street and road are intended to be interchangeable phrases.

Sunset and *Sunrise* means that time determined by the National Weather Service.

Sec. 20-156. Operation of golf carts on city streets.

A person may operate a golf cart on city streets, subject to the following restrictions:

- (a) Golf carts shall be registered annually with the owner of the golf cart making application to the Police Department. The Police Department shall provide such approval of use and forward the application to the City Administrator / Clerk's office, so such office can maintain a list of registered golf carts. There shall be no charge for the registration of a golf cart. Failure to register a golf cart shall constitute as a violation of this ordinance.
- (b) The golf cart owner shall affix a sticker provided by the city on the front of the golf cart. The sticker shall be valid for the calendar year in which it is issued.
- (c) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (d) The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- (e) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Motor Vehicle.
- (f) 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.
- (g) A person shall not operate a golf cart on a state trunk line highway (M-156). This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the city, using the most direct line of crossing.
- (h) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- (i) 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 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.
- (j) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- (k) 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. The city may, by resolution, designate roads or classifications of roads for use by golf carts under this subsection.

- (l) A golf cart shall not be operated on the streets of the city during the time period from 1/2 hour before sunset to 1/2 hour after sunrise.
- (m) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (n) A golf cart operated on a street of the city under this section is not required to be registered under this act for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.
- (o) This section does not apply to a police officer, city employees, and city volunteers in the performance of his or her official duties.
- (p) A golf cart shall not be operated during inclement weather or with snow and / or ice on the ground.
- (q) 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.
- (r) Violations of any provisions of this section shall be penalized as a civil infraction.

Section 2. Sunset Provision.

Unless reenacted by ordinance of City Council, this ordinance shall be null, void and of no force and effect one (1) year after the date of enactment.

Section 3. Repealer.


All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4. Effective Date

This Ordinance shall become effective ten (10) days after its publication.

YEAS: Councilors Berger, Lampson, Seger, Walsh and Mayor Bell
NAYS: Councilors Cox and Leahy
ABSENT: None

Ordinance declared adopted on April 25, 2016.



Jeffrey Bell, Mayor
City of Morenci

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Michael S. Sessions, the Clerk of the City of Morenci certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the City Council of the City of Morenci on April 25, 2016 and published in the State Line Observer, a newspaper circulated in the City of Morenci on April 27, 2016.



Michael S. Sessions, Clerk
City of Morenci