

Consideration of approving ordinance amendment to Chapter 71, to allow golf cart operation on city streets adjoining the local golf course. (TP)

<p>Prepared by: Parks, Arts & Rec Director Tom Pawelk</p>	<p>Meeting Date: 1/27/22</p>	<p><input checked="" type="checkbox"/> Regular Agenda Item</p>
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PREVIOUS ACTION

Discussion of recreational motor vehicles within city limits. This item was brought to the PARC for clarification in July of 2021. Some residents are using their golf carts for transportation to and from the golf course. While the language in the ordinance includes Class 2 vehicles (ATV’s & UTV’s), golf carts fall into a different area in a permitted process. Nancy McCaffrey has noticed residents in her neighborhood that use golf carts on the pathway to access the golf course. Pawelk said he is asking the PARC to determine if golf carts should be allowed across town or if it should be limited to only certain streets or neighborhoods that adjoin the golf course.

McCaffrey said her biggest concern is safety and too much traffic. City Clerk Jennifer Schreiber said it could be specific and just include neighborhoods near the golf course. “No Golf carts except for use in neighborhoods that adjoin the golf course”. The language could also include the name of specific developments. Discussed modifying the language in the ordinance to include golf carts as well as ATV’s and UTV’s. This would be a multi-year permit required to be renewed every three years. It should be defined where golf carts have access from city streets and specific neighborhoods.

The approved motion recommended approval of the ordinance modification pertaining to recreation vehicles, including golf carts.

ACTION REQUESTED

The PARC is asked to approve the ordinance amendment to Chapter 71, defining an access area for golf carts adjoining the local golf course.

In July of 2021, PARC asked city staff to identify the golf cart operation area to access the golf course. Staff has developed the access area following recommendations from the Wright County Sherriff’s Office and from the PARC.

The areas to consider including in this ordinance amendment are defined below:

- 7th Street towards Country Club Golf Course
- Elm Street towards Country Club Golf Course
- Country Club/Club View Manner and streets to access Country Club Golf Course
- Club West

- Prairie West Townhome Association
- Residential developments including Par West, Balboul, The Meadows and Timber Ridge

The ordinance amendment will require the operator/owner of the golf cart to obtain a permit from city hall, managed by the city clerk, and enforced by the Wright County Sherriff's Office.

REFERENCE AND BACKGROUND

1. **Budget Impact:** Each vehicle registered with City will cost the user \$25 for a 3-year permit. The funds from the registered vehicles will help to offset staff time and permit costs.
2. **Staff Workload Impact:** Managing golf cart permits.
3. **Comprehensive Plan Impact** Build Community recreation and Services.

STAFF RECOMMENDED ACTION

City staff recommends approving the ordinance amendment to Chapter 71 outlining the allowable golf cart access locations as shown on the aerial map attached as Supporting Data.

SUPPORTING DATA

- Aerial map of designated golf cart access locations



1 in = 1,505 ft

REGULATION OF RECREATIONAL VEHICLES

Purpose and Intent. The purpose of this ordinance is to provide reasonable regulations for the use of special and recreational motor vehicles on public and private property in the city. This ordinance is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. It is intended to ensure the public safety and prevent a public nuisance.

Definition. For the purpose of this ordinance, the following definition shall apply unless the context clearly indicates or requires a different meaning:

RECREATIONAL MOTOR VEHICLE. Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to trail bike, off-highway motorcycle, as defined by Minn. Stat. § 84.787, subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by Minn. Stat. 84.90 and Minn. Stat. § 84.92, subd. 8-10 as it may be amended from time to time, or motorized go-carts, hovercraft, or motor vehicle licensed for highway operation, which is being used for off-road recreational purposes, but not including motorized golf carts, personal electric mobility devices, motorized footscooters, neighborhood electric vehicles, medium-speed electric vehicles, or mini-trucks.

Recreational Vehicle Operation Requirements. It is unlawful for any person to operate a recreational motor vehicle:

1. No person shall enter on any land not owned by the person for the purpose of operating a recreational motor vehicle without specific written permission from the owner, or person with lawful control of the property.
2. On publicly owned land, including schools, city streets, boulevards, park property, playgrounds, recreation areas and greenways, except where permitted by this ordinance, and as permitted.
 - a. An All-terrain vehicle Minn. Stat. § 84.92 subd. 9, and Class 2 ATV as defined Minn. Stat. § 84.92 subd 10 shall be permitted to operate on a city street, or other city roadway and parking lot designed for vehicular traffic.
 - b. A snowmobile as defined under Minn. Stat. § 84.81 may be operated on a city street for the exclusive purpose of traveling the most direct route to, and from a place designated or permissible for operation. A snowmobile must be operated as far to the right of the roadway nearest the curb as practical.
3. In a manner so as to create a loud, unnecessary, or unusual noise that disturbs, annoys, or interferes with the peace and quiet of other persons.

4. On a public sidewalk, walkway, walking path, or bike trail provided or used for pedestrian or bicycle travel.
5. At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs.
6. At a rate of speed greater than reasonable or proper under all the surrounding circumstances.
7. At any place in a careless, reckless, or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto.
8. On any public street, highway, or right-of-way unless registered pursuant to Minnesota law.
9. To intentionally drive, chase, run over, or kill any animal, wild or domestic.
10. By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property.
11. Without a functioning headlight, taillight, and stoplight.
12. Without a brake operational by either hand or foot.
13. On residential lots less than two and one-half (2 ½) acres in size unless the purpose is for maintenance, plowing, or other work-related activities.
14. At a speed exceeding 10 miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter.
15. Helmet and seat belts requirements shall be regulated in accordance with Minn. Stat. § 84.9256 subd. 2 Helmet and Seatbelts Required.
16. All-terrain vehicles and passengers.
 - a. No person under 18 years of age shall operate a Class 2 All-Terrain Vehicle while carrying a passenger except for a parent or lawful guardian.

Street Crossings.

Subd. 1. No person under 12 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway, or public right-of-way; or operate a vehicle regulated herein on a public street, highway, or road right-of-way; or operate a vehicle regulated herein on public lands or waters, except that a person at least 10 years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 110cc on public lands or waters if accompanied by a parent or legal guardian.

Subd. 2. A Recreational Vehicle may make a direct crossing of a public road right-of-way provided:

17. The crossing is made at an angle of approximately 90 degrees to the direction of the road and at a place where no obstruction prevents a quick and safe crossing.
18. The vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the road.
19. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.
20. In crossing a divided road, the crossing is made only at an intersection of the road with another public road.
21. If the crossing is made between the hours of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

Hours of Operation. Hours for use are sunrise to sunset.

Minimum Equipment Requirements

Subd. 1. Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound, or emit in excess of 99db from a distance of 20 inches.

Subd. 2. Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

Subd. 3. At least one clear lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility.

Designation of Public Areas for Use

Subd. 1. The Council may designate areas and exclusive city streets for use of recreational motor vehicles by Ordinance approval by a majority of the members of the City Council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the city clerk, who shall provide on request a copy of the map together with the applicable rules, regulations, and this ordinance to each person requesting the information from the city.

Subd. 2. Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property and city streets shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this ordinance.

Public Safety Usage. Notwithstanding the prohibitions in this Section, a recreational vehicle may be operated in a time, a place deemed appropriate by an official public safety entity in accordance with their lawful duties.

Penalty. All violations of this Section shall be a misdemeanor offense.

MOTORIZED FOOT SCOOTERS

Motorized Foot Scooter. Means a device with handlebars designed to be stood or sat upon by the operator, and powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, and that has no more than two 12-inch or smaller diameter wheels and has an engine or motor that is capable of a maximum speed of 15 miles per hour on a flat surface without more than 1 percent grade in any direction when the motor is engaged. An electric personal assistive mobility device, a motorized bicycle, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

Operation.

Subd. Motorized Foot Scooters as defined by Minnesota Statute §169.011, Subdivision 46, may be operated within the City pursuant to and in accordance with Minnesota Statute §169.225.

SEGWAYS OR ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

Segways or Electric Personal Assistive Mobility Device. Means a self-balancing device with two tandem wheels, designed to transport not more than one person, and operated by an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.

Operation.

Subd. Motorized Foot Scooters as defined by Minnesota Statute §169.011, Subdivision 26, may be operated within the City pursuant to and in accordance with Minnesota Statute §169.212.

ELECTRIC-ASSISTED BICYCLES

Motorized Bicycles. Means a device with two or three wheels; a saddle and fully operable pedals for human propulsion; and an electric motor that is: 1,000 watts or less, incapable of propelling faster than 20 miles per hour, incapable of further increasing the speed of the device when human power alone is used to propel the vehicle at a speed of more than 20 miles per hour, and disengages or ceases to function when the vehicle's brakes are applied.

Operation.

Subd. Electronic Assisted Bicycles as defined by Minnesota Statute §169.011, Subd. 27, may be operated in the City pursuant to and in accordance with Minnesota Statute §169.223.