

ORDINANCE NO. 04-2020**AN ORDINANCE AUTHORIZING THE USE OF
PRIVATE GOLF CARTS ON CERTAIN STREETS IN
THE BROADLANDS SUBDIVISION, NORTH PRAIRIE**

WHEREAS, the residents of the Village of North Prairie Broadlands Subdivision wish to drive their personal golf carts to the Broadlands Golf Club, located at 18 Augusta Way and have approached the Village Board of the Village of North Prairie for approval. A draft ordinance was proposed for consideration, along with golf cart equipment requirements, as well as golf cart operation.

WHEREAS, after numerous meetings and discussions, the Village Board requested the Police Department to draft some Rules of Operation on the Village Streets and the right-of-ways within the Broadlands Subdivision, as well as a fee schedule for golf cart violations.

WHEREAS, upon consideration and recommendation of the Village of North Prairie Public Safety & Protective Services Committee and the North Prairie Police Department, and being fully advised, the Village Board wishes to create a new ordinance to regulate the operation of golf carts with the Broadlands Subdivision limits.

NOW, THEREFORE, the Village Board of the Village of North Prairie, Waukesha, County, Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 50 TRAFFIC AND MOTOR VEHICLES Section 50-5 of the Municipal Code "Traffic and Motor Vehicles" is hereby created to read as follows:

Section 50-5. Operation of Golf Carts on Village streets within the Broadlands Subdivision.

- A. Authority and Purpose. This Section is adopted pursuant to Section 349.18(1) (1m) of Wisconsin Statutes. It is intended to permit and regulate the operation of Private Golf Carts on certain Village streets within the Broadlands Subdivision. It is intended for the safe passage of Golf Carts on those Village streets pursuant to the requirements set forth in this section. This section does not apply to the operation of the Golf Carts entirely on private property with consent of the owner of the private property.
- B. Definitions. The following definitions apply to this section.
1. "Golf Cart" Means a vehicle designed and intended to convey one or more persons and equipment to play the game of golf in an area designed as a Golf Course, to maintain a Golf Course, or to move persons around a Golf Course, whether or not the vehicle is actually being used on a Golf Course.
 2. "Golf Course" means a public or private golf course consisting of eighteen (18) or more contiguous holes with a total length in excess of 5,000 yards in play from tees to greens.

3. "Golf Cart Travel Area" means any portion of a village street or right-of-way located within the Broadlands Subdivision, subject to a maximum speed limit of 25 miles per hour. Signage shall be provided and maintained by the Broadlands HOA/Golf Cart owners to limit Golf Cart travel to the Golf Cart Travel Area, as approved by the Village Board regarding construction materials, wording, design, quantity, and location, prior to installation.
4. "Broadlands Subdivision" means streets within the boundaries of the Broadlands Subdivision in North Prairie, Wisconsin. State Trunk Highway "59", County Road "ZZ", Piper Road, Waterville Road and W. Sadd streets are not part of the Broadlands Subdivision, and golf cart travel is not allowed on these streets under this ordinance.

C. Golf Cart Equipment Requirements. All private golf carts operated within the Broadlands Subdivision are subject to the following mandatory equipment requirements.

1. Golf Carts shall be equipped with operational permanently attached white front lights and red rear tail lights and shall at all times be maintained in good working order.
2. Golf Carts shall be equipped with operational permanently attached amber turn signals and shall at all times be maintained in good working order.
3. Golf Carts shall be equipped with a visibly clear windshield.
4. Golf Carts shall be equipped with operational brakes and parking brakes and shall at all times be maintained in good working order.
5. Golf Carts shall have four (4) properly inflated tires and shall at all times be maintained in good condition.
6. Golf Carts shall have operational, tight and properly aligned steering equipment and shall at all times be maintained in good working condition.
7. Golf Carts shall not exceed 1200 pounds gross weight limit.
8. Golf Carts shall not be able exceed a speed of 20 miles per hour.

D. Golf Cart Operation. The following rules of operation apply to all Golf Carts used pursuant to this Section 50-5:

1. Privately owned golf carts must be covered by statutory Insurance for Bodily Injury and Property Damage Liability for each golf cart registered through the duration of the registration sticker. Coverage shall include all authorized users.
2. Golf carts shall not be parked or unattended on any Village street within the Broadlands Subdivision or adjacent right-of-way or any other public property, to include, but not limited to, parks and soccer fields.

3. Golf carts shall only be operated on golf course property, designated private golf cart paths, and within the designated Golf Cart Travel Area designated in this Section 50-5.
 4. Golf carts may only be operated to and from the golf course while golf is being played, during golf course hours of operation and during the Broadlands golf course season of golf operation.
 5. Golf carts shall be operated on the extreme right side of the roadway and travel with the flow of traffic in the same direction.
 6. Golf carts shall be operated in single file.
 7. Golf carts shall yield the right of way to all other vehicular traffic and pedestrians.
 8. Golf carts shall obey all the rules of the road under Wisconsin State Statutes and all Village Ordinances applicable to traffic laws, and the rules and restriction of this Section 50-5.
 9. Golf carts shall only be occupied by a driver and one passenger or two people per bench seat.
 10. Items transported by the Golf Cart shall be secured so as not to be thrown or dropped from the Golf Cart.
 11. Golf cart headlights and taillights shall be illuminated as required by law.
 12. Golf carts shall properly display the registration sticker, placed and adhered to the lower left portion of the windshield.
 13. Golf cart operator/driver must have a valid United States issued operator's license or a current international or foreign permit accepted by Wisconsin DOT.
 14. Golf carts may be towed from the scene at owner/operator expense for any violation.
 15. All golf cart operation on Village streets is prohibited until signs marking the Golf Cart Travel Area are installed in compliance with this Section 50-5, and may continue only while such signs remain in place as required by the Village.
- E. Registration. Golf carts intended to be operated pursuant to this Section 50-5 must be registered with the Village. Applications for registration may be filed with the Village Clerk by use of the approved application form, upon payment of the registration fee established by the Village Board from time to time.
- F. Enforcement. This section shall be enforced in accordance with Municipal Code Chapter 50, Traffic and Motor Vehicles, Section 50-50, Enforcement.
1. Village and Law enforcement have authority to enforce fines that are not in the Bond Book. Examples are, but not limited to: Not having Golf Cart Registration or not displaying registration sticker. See Village Fee Schedule.


SECTION 2: SEVERABILITY. The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect

the validity of any other provisions, sections or portions of the Ordinance, which shall remain in full force and effect.

SECTION 3: Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict. This ordinance shall take effect and be in force from and after its passage and posting.


PASSED AND ADOPTED by the Village Board of Trustees of the Village of North Prairie, Waukesha County, Wisconsin, this 10th day of September, 2020.

VILLAGE OF NORTH PRAIRIE



Gary Nickerson, Village President

ATTEST:



Rhoda Bagley, Village Clerk

Appendix

Wisconsin Legislature by 2013 Act 20

Section 2175k. 349.18 (1m) of the statutes is created to read:

349.18 (1m) (a) Except as provided in par. (c), a municipality may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the municipality, regardless of whether the municipality has jurisdiction, for maintenance purposes, over the highway.

(b) Except as provided in par. (c), a county may, by ordinance, allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is under the jurisdiction, for maintenance purposes, of the county.

(c) An ordinance under this subsection may not allow the operation of golf carts on or across any state trunk highway or connecting highway.

(d) An ordinance under this subsection may include a definition of the term "golf cart."

North Prairie
Privately Owned Golf Cart Registration Form
APPROVED September 10, 2020

Golf Cart Owners/Registrants must complete this form providing the appropriate golf cart / vehicle and personal information requested. The owner must show proof of insurance (see below) as required by state law and local Ordinance No. 04-2020. The owner/registrant must sign the registration form agreeing to abide by the restrictions and requirements set forth in this ordinance. Your signature shall indicate your acknowledgement of the rules, requirements and restrictions as well as any penalties that may be imposed for any violations of Ordinance No. 04-2020.

Registration Fee

A registration fee of **\$45.00 per golf cart** is due upon signing. An annual sticker will be issued as proof of registration which must be displayed and adhered to the lower corner of the windshield on the driver side. Registration stickers are non-transferable; each golf cart must be registered separately and must bear the sticker assigned to the appropriate golf cart. Registration stickers are an annual sticker with a start date of January 1st and expiring December 31st of each year. The owner of the registered golf cart must maintain insurance coverage for Bodily Injury and Property Damage Liability on each golf cart registered for the duration of the registration sticker and coverage shall include all authorized drivers. Uninsured golf carts may be towed from the scene at owner's expense and the owner will be cited for uninsured motorized vehicle.

Registration Requirements-

All private golf carts operated within the Broadlands Subdivision are subject to the following mandatory equipment requirements:

1. Golf Carts shall be equipped with operational permanently attached white front lights and red rear tail lights and shall at all times be maintained in good working order.
2. Golf Carts shall be equipped with operational permanently attached amber turn signals and shall at all times be maintained in good working order.
3. Golf Carts shall be equipped with a visibly clear windshield.
4. Golf Carts shall be equipped with operational brakes and parking brakes and shall at all times be maintained in good working order.
5. Golf Carts shall have four (4) properly inflated tires and shall at all times be maintained in good condition.
6. Golf Carts shall have operational, tight and properly aligned steering equipment and shall at all times be maintained in good working condition.
7. Golf Carts shall not exceed 1200 pounds gross weight limit.
8. Golf Carts shall not be able exceed a speed of 20 miles per hour.

Rules of Operation for Golf Carts use on Village streets and right-of-ways within the Broadlands Subdivision

1. Privately owned golf carts must be covered by statutory Insurance for Bodily Injury and Property Damage Liability for each golf cart registered, through the duration of the registration sticker and coverage shall include all authorized drivers. Proof of insurance must be available to law enforcement upon request.
2. Golf carts shall not be parked or unattended on any Village street within the Broadlands Subdivision or adjacent right-of-way or any other public property to include, but limited to, parks and soccer fields.
3. Golf carts shall only be operated on golf course property, designated private golf cart paths and within the designated Golf Cart Travel Area designated in this Section 50-5
4. Golf carts may only be operated to and from the golf course while golf is being played, during golf course hours of operation and during the Broadlands golf course season of golf operation.
5. Golf carts shall be operated on the extreme right side of the roadway and travel with the flow of traffic in the same direction.
6. Golf carts shall be operated in single file.
7. Golf carts shall yield the right-of-way to all other vehicular traffic and pedestrians.
8. Golf carts shall obey all rules of the road under Wisconsin State Statutes and all Village ordinances applicable to traffic laws and the rules and restrictions of this Section 50-5.
9. Golf carts shall only be occupied by a driver and one passenger or two people per bench seat.
10. Items transported by the Golf Cart shall be secured so as to not be thrown or dropped from the golf cart.
11. Golf Cart headlights and taillights shall be illuminated as required by law.
12. Golf carts shall properly display the registration sticker, placed and adhered to the lower left portion of the windshield.
13. Golf cart operator/driver must have a valid United States issued operator's license or a current international or foreign permit accepted by the Wisconsin DOT.
14. Golf carts may be towed from the scene at owner/operator's expense for any violation.
15. All golf cart operation on Village streets is prohibited until signs marking the Golf Cart Travel Area are installed in compliance with this Section 50-5, and may continue only while such signs remain in place as required by the Village.

Date: _____

Registration Sticker #: _____ Cart Make: _____ Cart Model: _____ Cart Color: _____

Owners Name: _____

Address: _____

Phone: _____

Email address: _____

Insurance Company & Policy Number: _____

Secondary Person Contact Information: _____

I certify that I am the OWNER of this golf cart (or an immediate family member with proper authority). I agree to all the rules & requirements of **Ord. No. 04-2020** as written above. The information provided herein is true and correct to the best of my knowledge. I understand that false information may result in immediate revocation of my registration and possible charges may be imposed, if applicable.

Owners signature

Date

VILLAGE OF NORTH PRAIRIE
130 N. HARRISON STREET
NORTH PRAIRIE, WI 53153

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

Ordinance No. 04-2020 Authorizing the
Use of Private Golf Carts.
Passed on September 10, 2020

The undersigned, being first duly sworn, on oath deposes and states that on _____, 2020, at the direction of the Clerk of the Village of North Prairie, has posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

To-wit:

- (1) The Broadlands Club House
- (2) At the entrance to the Village Hall on North Harrison Street;
- (3) Given to The Broadlands HOA

Posting Officer Signature

Subscribed and sworn to before me
This ___ day of _____, 2020

Notary Public Waukesha County, Wisconsin
My Commission expires: _____