

ORDINANCE NO. 3769

AN ORDINANCE REPEALING ORDINANCE NO. 3402 AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF FORT SCOTT; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND PROVIDING FOR THE REPEAL OF CHAPTER No. 10.04.010 [SECTION 1 OF THE CODE OF THE CITY OF FORT SCOTT SECTION 114.4 OF THE STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. 3384] AND REPEALING ORDINANCE NO. 3586 AN ORDINANCE AMENDING SECTION 10.04.080 [OPERATION OF GOLF CARTS] OF CHAPTER 10.04 [STANDARD TRAFFIC ORDINANCE] OF THE FORT SCOTT MUNICIPAL CODE AND ADOPTING ORDINANCE NO 3769.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS:

Section 1: OPERATION OF GOLF CARTS.

(a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road and alley with a posted speed limit more than Thirty (35) miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit greater than Thirty-five (35) miles per hour.

(b) No golf cart shall be operated on any public sidewalk.

(c) Every person operating a golf cart on the public highways, streets, roads, and alleys of the City shall be subject to all the duties applicable to the driver of a vehicle imposed by law.

(d) Golf carts may be operated on any public highway, street, road or alley as set out in Section 1(a). For golf carts to be operated on any public highway, street, road or alley either before sunrise or after sunset said golf cart must be equipped with the following:

- (1) Headlamps;
- (2) Tail lamps;
- (3) Reflectors (rear);
- (4) Stop lamps;
- (5) Turn signals;

Section 2: VALID DRIVERS LICENSE REQUIRED; PENALTY.

No person shall operate a golf cart on any public highway, street, road, or alley within the corporate limits of the City unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than Six (6) months or by both such fine and imprisonment.

Section 3: DEFINITION.

A golf cart means a motor vehicle that has not less than Three (3) wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than Thirty-Five (35) miles per hour and is designed to carry not more than Six (6) people, including the driver.

Section 4: PENALTY.

Unless specifically provided herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the City may then have in effect.

Section 5: DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.

(a) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the City unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(b) For the purpose of this section, a slow-moving vehicle emblem has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(c) The slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

Section 6: INSURANCE REQUIRED; PENALTY.

(a) Every owner of a golf cart shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.

(b) All provisions of Section 200 of the Standard Traffic Ordinance, and amendments thereto shall be applicable to all owners and operators of golf carts.

Section 7: REGISTRATION AND LICENSE; FEE, APPLICATION; INSPECTION; PENALTY.

(a) Before operating any golf cart on any public highway, street, road or alley within the corporate limits of the City and each calendar year thereafter, the vehicle shall be registered with the City and a license shall be obtained and placed on the golf cart. The License fee shall be

Fifty Dollars (\$50.00) per calendar year, payable in advance to the City Clerk. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a golf cart shall be made by the owner, or owner's agent, in the office of the City Clerk. The application shall be made upon forms provided by the City and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered including make, model and serial number, if applicable. Proof of insurance, as required in Section 6, shall be furnished at the time of application for registration.

(c) Prior to the issuance of the registration and license, each applicant for a golf cart license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in a safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be accounted for and then filed in the police department.

(d) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(e) The license issued hereunder is not transferable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(f) In the event a license is lost or destroyed, the City Clerk, upon proper showing by the licensee and the payment of a fee of Twenty-Five Dollars (\$25.00), shall issue a new license in accordance with the provisions of this section.

(g) It shall be unlawful for any person to:

(1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the City any golf cart, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the City for the current registration year.

(2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended, or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than One Hundred Dollars (\$100.00) and forfeiture of the item. A mandatory court appearance shall be required of any person violating this subsection.

(3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

(4) Remove, conceal, alter, mark, or deface the license number plate, plates or decals, or any other mark of identification upon any golf cart. Licenses shall be kept clean and placed as required by law to be plainly visible and legible.

(5) Carry or display a registered number plate or plates or registration decal upon any golf cart not lawfully issued for such vehicle.

(6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than Five Hundred Dollars (\$500.00).

Section 8: PROPER SIGNALING

If the golf cart is not equipped with headlights, brake lights or taillights the operator must give hand signals to indicate they are stopping or turning.

Section 9: REPEALER.

[Chapter No. 10.04.010] [Section 1 of the Code of the City of Fort Scott] [Section 114.4 of the Standard Traffic Ordinance, as adopted by Ordinance No. 3384] is hereby repealed.

Section 10: PUBLICATION; EFFECTIVE DATE.

This ordinance shall be published one time in the official city newspaper, The Fort Scott Tribune, and shall take effect and be in force from and after said publication.

PASSED AND APPROVED by the Governing Body this 20th day of August, 2024.



Tracy Dancer, Mayor



Lisa A. Lewis, City Clerk