

# City of Silver Lake



## ORDINANCE NO. 2553

**AN ORDINANCE AMENDING ORDINANCE NO. 2551 AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF SILVER LAKE; PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES AND CODE PROVISIONS**

Be it Ordained by the Governing Body of the City of Silver Lake, Kansas:

### Section 1. OPERATION OF GOLF CARTS; PENALTY.

- (a) Golf carts, as defined below, may be operated upon the streets, roads and alleys within the corporate limits of the City, subject to the provisions of this Ordinance.
- (b) "Golf Cart" means any motor vehicle which has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver. For purposes of this ordinance, this definition will be interpreted in light of the definition under state law, K.S.A. §8-1494 and any amendments thereto.
- (c) No golf cart shall be operated on any public street, road or alley unless such vehicle shall comply with the equipment requirements under the provisions of article 18, chapter 8 of the Kansas Statutes Annotated. Such requirements include, but are not limited to, requirements for headlight and taillights if operating between sunset and sunrise, brake lights, a working horn, a muffler, and reflectors.
- (d) No golf cart shall be operated on any public street or road between sunset and sunrise unless equipped with lights. A properly mounted slow-moving vehicle emblem as required by K.S.A. 8-1717, and amendments thereto (K.S.A. 8-15, 108), is required at all times of operation.
- (e) Golf carts may be operated upon the, 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 in excess of 30 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 30 miles per hour.
- (f) Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law. In addition, every person operating a Golf Cart shall have safety belts/seat belts installed on said vehicle and used by all persons in said vehicle. A violation of this requirement shall result in penalties as outlined in K.S.A. §8-2504, and amendments thereto. Golf Carts may be operated upon the streets, roads and alleys within the corporate limits of the City, subject to the provisions of this Ordinance, and the prior ordinances of the City.
- (g) 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, 2022 Standard Traffic Ordinance, or amendments thereto, or such

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other similar provision as the city may then have in effect. In addition, the City may revoke any registration of the vehicle as established in Section 4 herein.

**Section 2. VALID DRIVER'S 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 \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

**Section 3. EFFECT**

- (a) Nothing in this ordinance shall serve as authorization for any person to operate a golf cart upon any interstate highway, federal highway or state highway, if the same are prohibited by state or federal law. If state or federal law allows the vehicle to cross state highways, the driver may do so within the City.
- (b) The operator of a golf cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a golf cart between lanes of traffic or between adjacent lines or rows of vehicles.

**Section 4. INSURANCE REQUIRED, PENALTY.**

- (a) Every owner of any vehicle subject to this ordinance shall provide liability coverage in accordance with Section 200 of the 2021 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 2021 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of vehicles governed by this ordinance.

**Section 5. REGISTRATION; FEE, APPLICATION, INSPECTION.**

- (c) Before operating any vehicle subject to this ordinance on any public highway, street, road or alley within the corporate limits of the City, the vehicle shall be registered with the City. Proof of registration shall be either in the vehicle or on the person of the driver or passenger of the vehicle at all times said vehicle is being operated, and the City may issue decals or stickers that must be visibly placed on the vehicle during operation. Any 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). The Owner shall also provide an owner's manual or similar booklet showing the specifications of the vehicle. Proof of insurance, as required in Section 4 shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$40.00. The full amount of the

registration fee shall be required regardless of the time of year that the application is made. The registration issued hereunder is not transferrable.

- (d) An entry or a plea of guilty or no contest or a conviction of violation under this ordinance by an individual with a prior entry or plea of guilty or no contest or conviction of violation under this ordinance shall result in a suspension of the registration of any special purpose vehicles owned by said individual for the period of six months.
- (e) A violation of this section by operation of a vehicle without a city registration 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, 2022 Standard Traffic Ordinance, or amendments thereto, or such other similar provision as the city may then have in effect.

Section 5. **JURISDICTION.** The provisions of this ordinance shall also apply to all land and water either within or outside the boundary of the city over which the city has either exclusive jurisdiction, concurrent jurisdiction, or real property ownership, and the air space above such land or water.

Section 6. **REPEAL.** All Ordinances and City Code provisions of the City of Silver Lake, Kansas, in conflict herewith are hereby repealed.

Section 7. **PUBLICATION; EFFECTIVE DATE.** This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

PASSED BY THE CITY COUNCIL this 18<sup>th</sup> day of **January, 2023.**

APPROVED BY THE MAYOR this 18<sup>th</sup> day of **January, 2023.**



**MACK SMITH, Mayor**

ATTEST:

  
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**LIZ STECKEL, City Clerk**