

ORDINANCE NO. 2022.06-53

AN ORDINANCE CREATING SECTION 470-15 OF MUNICIPAL CODE OF THE VILLAGE OF SALEM LAKES RELATING TO THE OPERATION OF GOLF CARTS ON CERTAIN VILLAGE ROADS.

The Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, does hereby ordain as follows:

SECTION 1. Purpose. The purpose of this ordinance is to create section 470-15 of the Municipal Code relating to the operation of golf carts on certain roads within the Village.

SECTION 2. Section 470-15 Created. Section 470-15 of the Salem Lakes Municipal Code is created to provide as follows:

§ 470-15 Golf Carts

A. **PURPOSE.** The purpose of this ordinance shall be to establish regulations within the Village of Salem Lakes to ensure the safety and welfare of persons and property relative to the operation of golf carts on certain roads within the Village of Salem Lakes. This ordinance is not intended to change current subdivision covenants which currently prohibit the use of golf carts.

B. **DEFINITIONS**

(1) "Golf Cart" has the meaning set forth in §23.33(fm), Wis. Stats.

(2) "Village Roads" for purpose of this section means paved roads constructed and maintained by the Village with a posted speed limit of twenty-five (25) miles per hour or less.

C. **LICENSING & REGISTRATION**

(1) No golf cart shall be operated on village roads unless such golf cart displays a permit issued by the Village Clerk or his/her designee. The permit received from the Village of Salem Lakes must be displayed on the golf cart in a prominent location at all times of operation so that it is clearly visible.

a. The permit issued under this section shall be valid from the date of issue to November 1 of the year following the year of issue. The fee for said permit shall be as set forth in a schedule maintained in the office of the Village Clerk as amended by resolution of the Village Board from time to time.

b. No permit shall be issued if the golf cart owner or applicant is indebted to the Village of Salem Lakes for overdue utility bills, special assessments, real property taxes or past due forfeitures.

(2) Applicants for a golf cart operation permit must submit an application in the form approved by the Village Board, which provides, in part:

a. "By signing this application, the applicant hereby releases and agrees to hold harmless the Village, its elected officials, employees and insurers from any and all claims resulting from the operation of a golf cart on public streets."

b. "Applicant understands and agrees that a review and inspection of a golf cart by a Kenosha County Sheriff's Department Deputy is intended solely to assist in obtaining a permit from the Village of Salem Lakes. This inspection is not intended to absolve the applicant

of any liability or damages resulting from the operation or malfunction of the golf cart. Applicant is advised to have the golf cart inspected by a certified mechanic before any operation.”

(3) At the time of application, the applicant shall submit the following additional items:

a. A copy of the proof of liability insurance. As part of the permit process, the owner of the golf cart shall provide proof of liability insurance in the amount of One Hundred Thousand (\$100,000.00) Dollars per incident. The proof of insurance must be with the golf cart whenever the golf cart is being used within the Village of Salem Lakes on Village roads. Proof of renewed liability insurance must be provided bi-annually and at time of permit renewal.

b. An application fee. The initial application fee shall be \$50, which is subject to amendment by Village Board resolution, from time to time.

c. Proof of satisfactory inspection by the Kenosha County Sheriff's Department which indicates that the golf cart is equipped with:

1. Brakes that are in good working condition.
2. DOT approved slow moving vehicle sign located on rear of the golf cart.
3. Front and rear reflectors.
4. Working horn.

(4) Golf carts may be operated on Village Roads during the following times of day and times of the year.

- a. From sunrise to sunset.
- b. From April 1 through October 31.

D. OPERATING REGULATIONS

(1) Golf cart operators shall comply with all applicable Wisconsin State Laws regarding motor vehicles including those prohibiting the possession and use of alcoholic beverages and illegal drugs by vehicle operators.

(2) The operator and or occupants of the golf carts shall comply with all traffic rules and regulations adopted by the State of Wisconsin and the Village of Salem Lakes.

(3) The operator of a golf cart shall adhere to all rules of the road applicable to motorized vehicles as set forth by the Wisconsin Department of Motor Vehicles and the Village of Salem Lakes.

(4) A golf cart may only be operated by a person who is at least 16 years of age and who possesses a valid driver's license.

(5) All golf cart operators and passengers must remain seated at all times the golf cart is in motion while on Village Roads.

(6) The number of occupants in the golf cart on Village Roads shall be limited to the number of adult persons for whom individual seating is installed and provided on the cart.

(7) No golf cart shall be operated on County or State Highways within the Village of Salem Lakes.

(8) No golf cart shall be operated upon public sidewalks, pedestrian walkways, bike paths or multi-use paths.

(9) No golf cart shall be operated within a Village Park except on access drives and parking areas.

(10) No person shall operate a golf cart in the careless reckless or negligent manner so as to endanger the person or property of another or cause injury or damage.

(11) No item shall be towed by a golf cart.

(12) Golf carts shall not operate on private property without permission and written consent of the property owners.

(13) Golf carts shall yield the right-of-way to pedestrians, bicyclists and other motor vehicles.

E. PENALTY. Except as otherwise provided herein, any person violating any provisions of this section shall be subject to the penalty provided in § 1-4 of the Salem Lakes Code of Ordinances.

SECTION 3. Severability. Each section, subsection, paragraph, sentence, clause, phrase and provision of the foregoing ordinance is and the same is hereby declared to be severable and if any portion or provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion or provision thereof.

SECTION 4. Effective Date. This ordinance shall take effect and be enforced from and after publication and posting as required by law.

Adopted by the Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, this 13th day of June, 2022.



Diann Tesar, President

Attest:



Amanda Procknow, Deputy Clerk