**CITY OF EMERY**

**ORDINANCE No. 2020-06**

AN ORDINANCE TO AUTHORIZE THE USE OF GOLF CARTS WITHIN THE CITY LIMITS OF THE CITY OF EMERY, SOUTH DAKOTA

BE IT ORDAINAED BY THE GOVERNING BODY OF THE CITY OF EMERY, SOUTH DAKOTA:

Chapter 7.410-golf carts

A. For the purposes of this Ordinance, the term golf cart means a three or four-wheeled vehicle originally and specifically designed and intended to transport one or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

B. The City of Emery hereby permits the use of golf carts on the municipal streets of the City of Emery, are subject to the following:

1. The golf cart be insured.
2. The person operating the golf cart shall hold a valid driver license.
3. The golf cart shall be required to display a slow-moving vehicle emblem in accordance with SDCL 32-15-20 or a white or amber warning light in accordance with SDCL 32-17-46.
4. The operator of said vehicle and all occupants must always be seated. There cannot be more people in or on said vehicle than the vehicle seating capacity.

C. No person may operate a golf cart on a state or county highway except for crossing from one side of the highway to the other. A golf cart may cross the highway at a right angle, but only after stopping and yielding the right-of-way to all approaching traffic and crossing as closely as possible to an intersection or approach.

D. The operator of a golf cart is required to obey the same traffic laws of the state and ordinances of the city, including street and road signs, as the operators of all other motorized vehicles are required to obey.

E. No person shall operate a golf cart within the city limits except during daylight hours unless the golf cart has at least one operating taillight and headlight.

F. Failure to abide by this ordinance shall be deemed a class 2 misdemeanor.  ***Offenders may be issued a POA ticket, with the fine and costs being set at:  $50.00 plus such court costs as apply to City Ordinance violations at the time the ticket is issued***

ANY AND ALL ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

Placed upon its first reading, August 10, 2020.

Placed upon its second reading, September 14, 2020

Dated this 14th day of September 2020.

Published this 24th day of September 2020.

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Joshua Kayser, Mayor

Attest:

Kristi Wollmann

Finance Officer