

ORDINANCE NO. 1158

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA TO ESTABLISH REGULATIONS REGARDING THE OPERATION OF GOLF CARS ON PUBLIC ROADWAYS WITHIN THE CITY; TO ADOPT CHAPTER 5, ARTICLE 4, SECTION 5-407 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. Chapter 5, Article 4, Section 5-407 of the Springfield Municipal Code is adopted to read as follows:

§5-407 GOLF CARS; DEFINED. For purposes of this Ordinance, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense shall include the future tense, words used in the plural number include words in the singular number and words in the singular number include words in the plural number. The word “shall” is always mandatory and not merely directory.

GOLF CAR. A vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes.

ROAD. A public way for the purposes of vehicular travel, including the entire area within the right-of-way.

STATE OR FEDERAL HIGHWAY SYSTEM. The roads, streets, and highway forming a group of highway transportation lines for with the Nebraska Department of Transportation or Federal Government shall be the primary authority. It shall include, but not be limited to, rights-of-way, connecting links, drainage facilities, and the bridges, appurtenances, easements, and structures used in conjunction with such roads, streets, and highways.

STREET. A public way for the purposes of vehicular travel in the city and includes the entire area within the right-of-way.

§5-407.01 GOLF CARS; SAFETY EQUIPMENT REQUIREMENTS. All golf cars operated pursuant to this Ordinance shall be equipped with the following safety equipment:

- (1) A bicycle safety flag with an area not less than thirty (30) square inches, attached to the rear of the golf car vehicle and standing a minimum of five (5) feet above ground level.
- (2) A manufacturer installed seat belt for each passenger on the vehicle.
- (3) A muffler if the golf car is powered by a gasoline engine.

- (4) Taillights, brake lights and turn signaling lights.
- (5) A rearview and/or sideview mirror.

§5-407.02 GOLF CARS; PROHIBITED ACTS. On any Road or Street as defined above and which exist outside the confines of a private golf course, it shall be unlawful:

- (1) for any person to operate a golf car without a valid Driver's license.
- (2) for any person under the age of twenty (20) years to operate a golf car.
- (3) for any person to operate a golf car between sunset and sunrise.
- (4) to operate a golf car without first ensuring that all passengers are utilizing manufacturer installed seat belts.
- (5) for any person to operate a golf car at a speed in excess of twenty (20) miles per hour.
- (6) for any person to operate a golf car on streets with a posted speed limit of greater than twenty-five (25) miles per hour. This shall include and is intended to prohibit the crossing of roadways in which the speed limit is greater than twenty-five (25) miles per hour.
- (7) for any person to operate a golf car on any roadway with more than two (2) marked lanes for traffic.
- (8) for any person to operate or park a golf car on any sidewalk, right-of-way, trail, or bike lane.
- (9) for any person to operate a golf car on any state or federal highway system.
- (10) for any person to operate a golf car, if the owner of the golf car does not possess liability insurance coverage for the golf car vehicle, proof of which shall be provided by the operator within five (5) days of a request by any peace officer. The liability insurance shall be subject to limits, exclusive of interest and costs, as follows: Twenty-five thousand dollars (\$25,000) because of bodily injury to or death of one (1) person in any one (1) accident and, subject to such limit for one (1) person, fifty thousand dollars (\$50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and twenty-five thousand dollars (\$25,000) because of injury to or destruction of property of others in any one (1) accident.
- (11) for any person to exceed the manufacturer determined passenger capacity when operating a golf car.
- (12) any person to operate a golf car while under the influence of alcoholic liquor or of any drug as outlined in Neb. Rev. Stats. §§ 60-6,196 through 60-6,211.11.
- (13) for any person to operate a golf car with open alcoholic containers on board, in violation of Neb. Rev. Stat. § 60-6,211.08.

§5-407.03 GOLF CARS; EXCEPTIONS. The following shall not be considered violations for purposes of this ordinance:

- (1) Golf car vehicles may be operated without complying with Section 5-407.02 Golf Cars; Prohibited Acts subsections (1) through (8) of this ordinance on streets and highways in parades which have been authorized by the State of Nebraska or any department, board, commission, or political subdivision of the state. Such exception is not intended to apply unless such parade is formally recognized by the governing body and shall in no event apply to block parties.

§5-407.04 GOLF CARS; PENALTY.

- (1) Any person found to be in violation of any provision of Section 5-407.02 Golf Cars; Prohibited Acts subsections (1) through (11) of this Ordinance shall be fined as permitted by Nebraska Revised Statute § 23-187(2) as follows:
 - (a) First Offense: \$100.00
 - (b) Second Offense: \$250.00
 - (c) Third and Subsequent Offense: each \$500.00
- (2) Any person found to be in violation of Section 5-407.02 Golf Cars; Prohibited Acts subsections (12) or (13) shall be subject to the provisions and penalties found in Chapter 60 of the Nebraska State Statutes.
- (3) In addition to the above cited penalties, violation of Section 5-407.02 Golf Cars; Prohibited Acts subsections (2) or (12) above may result in the impoundment of the golf car.
- (4) Such penalties set out in this section may be waived upon a showing of unusual circumstances not within the control of the operator or registered owner.

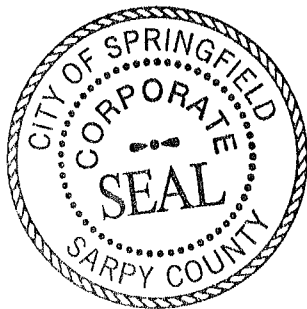
§5-407.05 GOLF CARS; EFFECTIVE AREA. This Ordinance is effective within Springfield's corporate limits.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 17 day of September, 2024.

(SEAL)



Robert Noel
Mayor

Paula D. Dunninger
City Clerk