

ORDINANCE NO. 01-564

AN ORDINANCE TO ESTABLISH AND CREATE SECTION 5-210 OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA, RELATED TO THE USE AND OPERATION OF GOLF CARTS WITHIN THE CITY LIMITS; TO DEFINE THE HOURS AND CONDITIONS OF OPERATION; THE MINIMUM AGE OF DRIVERS OF GOLF CARTS; TO REPEAL ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Municipal Code of the City of Friend, Nebraska, presently has no provisions which allow or prohibit the operation of golf carts upon the public streets of the City of Friend, Nebraska; and

WHEREAS, Nebraska Revised Statutes 60-678 allows a governmental subdivision to authorize the use and operation of off-road recreation vehicles of any and all types, and to enact regulations permitting, prohibiting, and controlling their use; and,

WHEREAS, it is the desire of the Mayor and City Council to allow the operation of golf carts within certain areas of the municipality, provided that rules and regulations regarding the use and operation of these golf carts are adopted concurrently;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section 1. That Section 5-210 of the Municipal Code of the City of Friend, Nebraska, is created to read as follows:

Golf Carts; Operation and Use; Hours and Requirements. The operation of golf carts upon the public streets and right-of-ways within the city limits is authorized only in those areas which are zoned as residential areas. Golf carts shall be operated only between the hours of sunrise to sunset. Golf cart operation shall further be allowed only by use of the most direct route between the Friend Country Club and the place of permanent storage of the golf cart, and no such operation for any other purpose of transportation shall be allowed. The operator of the golf cart shall be at least 16 years of age and hold a drivers license valid within the State of Nebraska, or be at least 14 years of age, provided that the operator of that age shall be accompanied in the golf cart by person of at least 21 years of age who holds a drivers license valid within the State of Nebraska. Any golf cart operating outside the permitted hours of sunrise to sunset shall be equipped with head lights and tail lights in compliance with Nebraska Revised Statute 60-6,219. All golf carts operated as above permitted shall at all times be subject to the Nebraska Rules of the Road which are applicable to the operation and use of motor vehicles. (Source Ref. 60-678 et. seq. RS Neb.)

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. Should any section paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

Section 4. This Ordinance shall take effect after its approval, passage, and publication according to law.

Passed and approved this 5th day of June, 2001.

THE CITY OF FRIEND, NEBRASKA



By:

James W. Vassler
MAYOR

Ann R. Betka
CITY CLERK/TREASURER