

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 186**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON REGULATING THE USE OF GOLF CARTS
(OR SIMILAR VEHICLES) ON PUBLIC PROPERTY WITHIN THE CITY OF LIBERTY LAKE, AND REPEALING
ORDINANCE 150 IN ITS ENTIRETY**

WHEREAS, the City Council of the City of Liberty Lake desires to regulate the use of golf carts to enhance the health, safety and welfare of its citizens;

WHEREAS, through RCW 46.08.020 the legislature has authorized the City to enact traffic regulations within the City of Liberty Lake;

WHEREAS, through SSB 6207 the legislature has authorized the City to create golf cart zones by Ordinance or Resolution for the purposes of permitting incidental use of golf carts on public roads;

WHEREAS, the City Council of the City of Liberty Lake previously passed Ordinance 150 on July 18, 2006 regulating the use and operation of golf carts with the City of Liberty Lake and;

WHEREAS, the City Council of the City of Liberty Lake finds that providing minimum use and operational requirements for golf carts, to include but not limited to, age limits, lighting, and other safety equipment will likely protect persons and property from injury and annoyance and promote the safe use of such vehicles and property under the jurisdiction and control of the City.

NOW, THEREFORE, the City Council of the City of Liberty Lake, does ordain as follows:

Section 1. Ordinance No. 150 is repealed in its entirety.

Section 2. Liberty Lake Municipal Code Chapter 4, Title 7, entitled "Operation of Golf Carts" shall now and hereafter read as follows:

Section 7-4-1 Definitions. The following definitions shall be used in this Ordinance. Where a word or term is undefined reference shall be to RCW title 46.

- A. **"Golf Cart"** is defined as a gas-powered or electric-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles per hour. A Golf Cart is not a non-highway vehicle or off-road vehicle as defined in RCW 46.09.020. A Golf Cart is not considered a motor vehicle, except for the purposes of chapter 46.61 RCW.
- B. **"Street"** means the entire right of way width including the sidewalk (if present) and between the curb and boundary lines and shoulder or swale of public property when any part thereof is open to the use of the public for purposes of pedestrian, bicycle or vehicular travel including parking.
- C. **"Golf Cart Zone"** means any public roadway within the City of Liberty Lake having a speed limit of twenty-five miles per hour or less.

Section 7-4-2 Requirements and Restrictions. The following use, operational requirements, and restrictions are adopted by the City for golf carts.

- A. Every person operating a Golf Cart as authorized under this section is granted all rights and is subject to all duties applicable to the driver of a vehicle under chapter 46.61 RCW.
- B. A Golf Cart may be operated on a Street by a person as follows:
 - (1) Every person operating a Golf Cart as authorized under this section must be at least sixteen (16) years of age and must have completed a driver education course or have previous experience driving as a licensed driver.
 - (2) A person who has a revoked license under RCW 46.20.285 may not operate a Golf Cart as authorized under this section.
 - (3) Any person operating a Golf Cart, as authorized under this section, shall not transport more passengers than the manufacturer's designed seating capacity. All occupants shall be seated during operation and the use of seat belts shall be mandatory while the Golf Cart is being operated.
- C. Golf Carts shall not be operated on a street during one half (1/2) hour after sunset to one half (1/2) hour before sunrise unless in compliance with RCW 46.37 regarding vehicle lighting and other equipment, including equipping the Golf Cart with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the Washington State Patrol which shall be visible from all distances up to six hundred (600) feet to the rear when directly in front of lawful low beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector. A light emitting diode flashing taillight visible from a distance of five hundred (500) feet to the rear may also be used in addition to the red reflector.
- D. Golf Carts shall not be operated on a street in a negligent manner. For the purpose of this subsection, "to operate in a negligent manner" is defined as the operation of a Golf Cart in such a manner as to endanger any person or property, or to obstruct, hinder, or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- E. Golf Carts must be equipped with reflectors, seat belts, and rearview mirrors when operated upon streets and highways as authorized under this section.
- F. Golf Carts are exempt from vehicle licensing requirements, and child restraint system use.

Section 7-4-3 Penalty for Noncompliance: Upon a determination that a violation of this Ordinance has occurred, law enforcement officers may, pursuant to RCW Chapter 7.80, issue a Class I civil infraction with a fine not to exceed \$250.00 to any included person found in violation of the provisions of this Ordinance. If an underage operator or person is found to be using or operating a Golf

Cart in violation of this Ordinance, such matter and infraction will be referred to Spokane County Juvenile Court.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

Passed by the City Council this 5th day of October, 2010

Wendy VanOrman
Mayor, Wendy Van Orman

ATTEST:

Ann Swenson
Ann Swenson, City Clerk

APPROVED AS TO FORM:

Sean P. Boutz
Sean P. Boutz, City Attorney

Published 10.14.10
Effective 10.19.10

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 186 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on October 5, 2010 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: 6-0, unanimous

AYES, and in favor thereof: Mayor Pro Tem Crump; Council Members: Romney, Schuler, Beckett, Kaminskas and Langford

NAYS: None.

ABSENT: Council Member Owens.

ASTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK

City of Liberty Lake
22710 East Country Vista Drive
Liberty Lake, WA 99019
(509) 755-6700

**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 186 passed by the City of Liberty Lake City Council on the 5th of October, 2010.

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON REGULATING
THE USE OF GOLF CARTS (OR SIMILAR VEHICLES) ON PUBLIC PROPERTY
WITHIN THE CITY OF LIBERTY LAKE, AND REPEALING ORDINANCE 150 IN ITS
ENTIRETY**

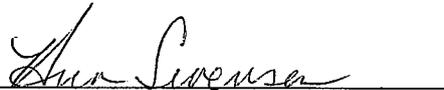
Section 1 repeals Ordinance No. 150 in its entirety.

Section 2 replaces Definitions, Requirements and Restrictions, and Penalty for Noncompliance in Sections 7-4-1, 7-4-2, and 7-4-3, respectfully of Liberty Lake Municipal Code Chapter 4, Title 7.

Section 3 establishes a severability clause in the event some portion of the Ordinance is held invalid.

Section 4 provides for an effective date of five (5) days after publication of the Ordinance summary.

The full text of the Ordinance is available at the City of Liberty Lake City offices as identified above. A copy will be provided upon request.



Ann Swenson
City Clerk

Published: 10-14-10