

**STATE OF MICHIGAN  
COUNTY OF HURON  
VILLAGE OF PORT AUSTIN**

**ORDINANCE NO. 127-24**

AN ORDINANCE TO AUTHORIZE THE OPERATION OF GOLF CARTS ON VILLAGE STREETS PURSUANT TO MCL 257.657a; TO PROVIDE PENALTIES FOR VIOLATIONS HEREOF AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH

**THE VILLAGE OF PORT AUSTIN ORDAINS:**

**Section 1. Definitions.**

- a) “Golf Cart” – A vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course.
  
- b) “Village Streets” – Any of the streets within the boundaries of the Village of Port Austin, Michigan, except for state and county roads.

**Section 2. Policy Statement.**

This Ordinance is adopted in the interest of public safety. Golf carts are not designed or manufactured to be used on public streets and roads, hereinafter “streets(s),” and the Village of Port Austin in no way advocates or endorses their operation on streets. The Village, by regulating such operation is merely addressing safety issues. This Ordinance is not to be relied upon as determination that operation on streets is safe or advisable even if done in accordance with this Ordinance.

All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride golf carts on streets inside the Village of Port Austin do so at their own risk and peril. The Village is immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation of use of a golf cart on maintained or unmaintained streets, shoulders, and rights-of-way over which the Village has jurisdiction.

### **Section 3. Operation of Golf Carts.**

A person may operate a golf cart on streets within the Village of Port Austin, subject to the following restrictions:

- a) A person shall not operate a golf cart unless he or she is at least 16 years old and licensed to operate a motor vehicle.
- b) The operator of a golf cart shall comply with all signaling requirements of MCL 257.648, as amended, that apply to the operation of a vehicle. Either hand signals or mechanical signals shall be permitted.
- c) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- d) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a village street, using the most direct line of crossing.
- e) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- f) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- g) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- h) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a highway or street with a speed limit of more than 30 miles per hours except to cross that highway or street.
- i) A golf cart shall not be operated on village streets during the time period from one half (1/2) hour before sunset to one half (1/2) hour after sunrise, unless equipped with mechanical signals and headlights.
- j) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- k) No person under the age of 4 years shall be a passenger of a golf cart operate on village streets.
- l) Any person operating a golf cart or who is a passenger in a golf cart shall wear a properly adjusted and fastened safety belt as required by MCL 257.710e for operators and passengers of motor vehicles.

- m) No person shall operate a golf cart while under the influence of alcohol or a controlled substance.
- n) No person shall operate a golf cart while holding or using a mobile electronic device as those terms are defined in the Michigan Vehicle Code, Public Act 300 of 1949, as amended.
- o) This ordinance does not apply to a police officer in the performance of his or her official duties.
- p) Prior to operation on any village street, all golf carts intended for street use within the Village shall be registered with the Port Austin Police Department. Proof of registration as provided by the Village shall be prominently displayed on the rear of any golf cart operated on village streets.

**Section 4. Enforcement.**

Any person who is found to be in violation of this ordinance shall be guilty of a municipal civil infraction and shall be ordered to pay a civil fine of not less than One Hundred (\$100.00) Dollars. A court of competent jurisdiction may order a person who causes damage to the environment, a street, or other property as a result of the operation of a golf cart to pay full restitution in addition to the penalties paid for civil fines.

**Section 5. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 6. Effective Date.**

This ordinance shall become effective 20 days after publication in a newspaper of general circulation within the Village of Port Austin.

Motion by: Polega

Seconded by: Andreski

Yeas: ALL

Nays: NONE

Absent: NONE

Abstain: NONE

Ordinance Adopted on the 11 day of March, 2024.

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Amanda Nienaltowski, Clerk