

**CLAY TOWNSHIP
ST. CLAIR COUNTY, MICHIGAN**

**GOLF CART ORDINANCE
ORDINANCE NO. 140**

An Ordinance to regulate the operation of golf carts on certain streets within Clay Township, St. Clair County, Michigan.

THE TOWNSHIP OF CLAY ORDAINS:

Section 1.

1. A person shall not operate a golf cart less he or she is at least 16 years old and licensed to operate a motor vehicle.
2. The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
3. 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.
4. A person shall not operate a golf cart on a state trunk line highway (including M-29 and M-154). This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a Township street, using the most direct line of crossing.
5. 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 the path.
6. 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.
7. A golf cart shall not be operate on a sidewalk constructed for the use of pedestrians.
8. 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 hour except to cross that highway or street.
9. A golf cart shall not be operated on Township streets during the time period from one-half (1/2) hour before sunset to one-half (1/2) hour after sunrise.

10. A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
11. This ordinance does not apply to a police officer operating a golf cart in the performance of his or her official duties.
12. A golf cart operated on a Township street under this ordinance is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.
13. As used in this ordinance, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this resolution.
14. No person shall operate a golf cart on the roads or streets within Clay Township without first registering and obtaining, at no cost, a permit from the Township. No permits shall be required for golf carts in lawful parades.
 - A) A person operating a golf cart by permit shall have the proper validation sticker displayed in plain view on the left front side of the golf card.
 - B) The permit shall be valid for three (3) calendar years.
 - C) A golf cart permit is not assignable. A new owner shall obtain a new permit for the golf cart.

Section 2. Penalty.

1. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
2. Any violation of this Ordinance shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
3. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following

schedule:

	<u>Fine</u>
1 st offense	\$100.00
2 nd offense	\$300.00
3 rd or subsequent offense	\$500.00

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

4. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer(s) of the Township, or by such other person(s) as the Township Board may designate from time to time.

Section 3. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

Section 4. Repeal.

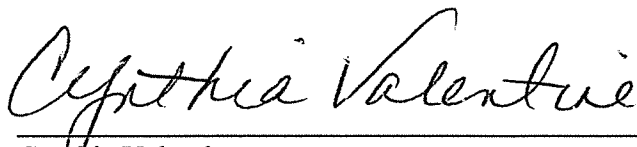
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Inspection of Ordinance.

A copy of this Ordinance may be inspected or purchased at the Township Hall, 4170 Pte. Tremble Road, Clay, Michigan 48001, during regular posted office hours.

Section 6. Effective Date.

This ordinance shall take effect 30 days after publication as required by law.

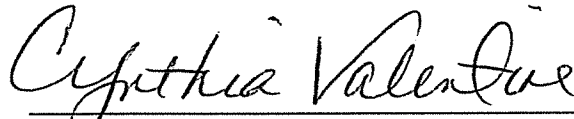


Cynthia Valentine
Clay Township Clerk

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance Number 140, duly adopted by the Township Board of the Township of Clay, St. Clair County, Michigan, at a regular meeting held on the 21st day of December, 2015, at which all members were present except Thomas Krueger, Treasurer; and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that minutes of said meeting were kept and have been or will be made available as required by said Act.

I further certify that Clerk, Cindy Valentine moved adoption of said Ordinance and that Trustee Karen Straffon supported said Motion.

I further certify that the following Members voted for adoption of said Ordinance: J. Arthur Bryson, Supervisor; Cindy Valentine, Clerk; Karen Straffon, Thomas Fetter, Joanne Shirkey and John Horvath, Trustees; and that the following Members voted against adoption of said Ordinance: None.



Cynthia Valentine
Clay Township Clerk

Adopted: December 21, 2015
Published: December 30, 2015
Effective: January 29, 2016