

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-209

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY AMENDING CHAPTERS 11 AND 70 TO ALLOW FOR GOLF CART OPERATION ON DESIGNATED CITY STREETS.

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title I, Chapter 11, General Code Provisions, Section 11.01, Definitions by adding the following definitions:

**GOLF CART.** A self-propelled three or four-wheeled vehicle designated for and commonly used for transportation on a golf course that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 800 pounds. Vehicles that are required to be registered with the Minnesota Department of Natural Resources do not fall within the definition of a golf cart for purposes of this code.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title I, Chapter 11, General Code Provisions, Section 11.01, Definitions by deleting the ~~stricken~~ language and adding the underlined language as follows:

**OPERATE (SNOWMOBILES, AND RECREATIONAL VEHICLES ALL-TERRAIN VEHICLES, AND GOLF CARTS).** To ride in or on and control the operation of a snowmobile, ~~or A.T.V., all-terrain vehicle, or golf cart.~~

SECTION 3. The City Council of the City of Lake Elmo hereby amends the title of Title VII, Chapter 70, Off Road Vehicles, Snowmobiles and All-Terrain Vehicles by deleting the ~~stricken~~ language and adding the underlined language as follows:

CHAPTER 70: ~~OFF-ROAD VEHICLES, SNOWMOBILES, AND ALL-TERRAIN VEHICLES, AND GOLF CARTS~~

SECTION 4. The City Council of the City of Lake Elmo hereby amends Title VII, Chapter 70, Snowmobiles, All-Terrain Vehicles, and Golf Carts to add a new Section 70.03 which shall read as follows:

**§ 70.03 GOLF CARTS.**

(A) *Permit required.* No golf cart may be operated on a street, alley, sidewalk, or other public property without first obtaining a permit from the city.

(B) *Permit application.* Every application for a permit must be made on a form supplied by the city and must contain all of the following information:

- (1) The registered owner's name, address, and telephone number;
- (2) The make, model, year, and number of the golf cart;

- (3) Proof of insurance. The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for golf carts;
- (4) Current driver's license or reason for not having a current license; and
- (5) Other information as the city may require.

(C) *Permit fee.* The permit fee shall be as set forth in the city's fee schedule.

(D) *Approval.* No permit shall be granted or renewed unless the following conditions are met:

- (1) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

If the application for the permit meets all of the requirements of this section, the permit application shall be approved by the Planning Director or his or her designee and a permit shall be issued by the city.

(E) *Appeal.* If a permit application is denied for any reason, the denial may be appealed to the City Council.

(F) *Duration.* Permits shall remain valid for a period of three years from the date of issuance.

(G) *Golf cart operation requirements.* The issuance of a permit and adherence to the criteria set forth below are specific to the City of Lake Elmo. Within the city, golf cart operators holding permits from the city may only operate the golf cart on city streets designated by this section. The following operation requirements shall apply:

- (1) The operator must have in his or her actual physical possession a valid, current, and unrevoked golf cart permit while operating the golf cart on a city street along with proof of insurance;
- (2) The operator is responsible for operating the golf cart in accordance with this section, and all other city, county, and state laws and regulations;
- (3) Golf carts must be operated on the pavement and not within any boulevard or ditch, city sidewalk, trail or walkway used for pedestrian travel, or other publically owned land;
- (4) A golf carts must only transport as many persons as it was designed by the manufacturer to carry;
- (5) Golf carts must not be operated on city streets during inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient visibility to clearly see persons or vehicles on the roadway at a distance of 500 feet;
- (6) Every person operating a golf cart on a city street has the rights and duties applicable to the driver of any other vehicle and must comply with the provisions of any traffic law of the City of Lake Elmo and Minnesota Statutes Chapter 169, as it may be amended from time to time, except when

these provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in Minnesota Statutes Section 169.045, subdivision 7, as it may be amended from time to time.

(H) *Equipment required.* All golf carts must have the following equipment when operating on city streets:

- (1) A slow-moving vehicle emblem provided in Minnesota Statutes Section 169.522 prominently displayed on the rear of the vehicle;
- (2) A rear-view mirror so located as to reflect to the operator a view of the roadway for a distance of at least 200 feet to the rear of the vehicle; and
- (3) Parking brakes to hold the vehicle in place when unattended.
- (4) *Night Driving.* Golf carts may only be operated between the hours of sunrise and sunset unless equipped with original headlights, taillights, and rear-facing brake lights.

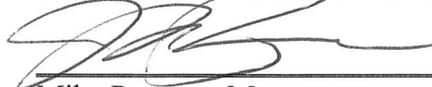
(I) *Designated city streets.* Golf carts are only permitted to be operated on designated city streets. Designated streets are those which are considered to be local in nature, under Lake Elmo jurisdiction, and 30 mph or less. Golf Carts are not permitted to travel down County, State, or roads built with State-Aid funds. The streets which are designated for golf cart operation are shown on the city's Golf Cart Street Map, which is on file and of record with the Planning Director. Golf carts are permitted to cross over any non-designated street or highway that intersects a designated city street. With this exception, golf carts shall not, for any period of time or distance, travel down any streets or highways not permitted for golf cart use.

(J) *Permit revocation.* The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder has violated any of the provisions of this section or Minnesota Statutes Chapter 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the golf cart on the designated city streets.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 6. Adoption Date.** This Ordinance 08-209 was adopted on this 15<sup>th</sup> day of May 2018, by a vote of 4 Ayes and 0 Nays.

**LAKE ELMO CITY COUNCIL**



Mike Pearson, Mayor

ATTEST:

  
Julie Johnson, City Clerk

This Ordinance 08-209 was published on the 30<sup>th</sup> day of May, 2018.

08-209  
08-210

# Affidavit of Publication

State of Minnesota }  
County of Washington } SS

ROBIN NISSWANDT, being duly sworn, on oath, says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as OAKDALE/LAKE ELMO REVIEW, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed RESOLUTION NO. 2018-053

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on WEDNESDAY, the 30<sup>TH</sup> day of MAY, 2018, and was thereafter printed and published on every \_\_\_\_\_ to and including \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

\*ABCDEFGHIJKLMN OPQRSTUVWXYZ  
\*ABCDEFGHIJKLMN OPQRSTUVWXYZ  
\*abcdefghijklmn opqrstuvwxyz

BY: Robin Nisswandt  
TITLE LEGAL COORDINATOR

Subscribed and sworn to before me on this 30<sup>TH</sup> day of MAY, 2018.

Tonya R. Whitehead  
Notary Public

\*Alphabet should be in the same size and kind of type as the notice.



### RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space.....\$25.00 per col. inch
- (2) Maximum rate allowed by law for the above matter.....\$25.00 per col. inch
- (3) Rate actually charged for the above matter .....\$            per col. inch

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA  
RESOLUTION NO. 2018-053  
RESOLUTION AUTHORIZING  
PUBLICATION OF  
ORDINANCE 08-209 AND  
ORDINANCE 08-210 BY TITLE  
AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-210, an ordinance amending the City's fee schedule, and Ord. 08-209, an ordinance adding standards for the operation of

golf carts on City streets; and **WHEREAS**, the ordinance is lengthy; and

**WHEREAS**, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

**WHEREAS**, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-209 and Ord. 08-210 to be published in the official newspaper in lieu of the entire ordinance:

**Public Notice**

**The City Council of the City of Lake Elmo has adopted Ordinance No. 08-210, which amends the City's 2018 Fee Schedule to add a fee of \$30 for golf cart permits which will last for three years.**

**AND**

The City Council of the City of Lake Elmo has adopted Ord. 08-209, which includes the following changes to the Lake Elmo City Code of Ordinances:

Chapter 11 is amended by to add a definition of Golf Cart(s) and amend the definition of Operate.

Chapter 70 is amended by creating section 70.03: Golf Carts, which includes the following:

— Designated streets on which golf carts may be operated

— Applications are required, and approval of application by the city is required prior to issuance of said permit.

— Golf carts shall not be operated in inclement weather conditions.

— A list of mandatory equipment for all golf carts operating on public right of way is also provided.

The full text of Ordinance No. 08-209 and Ordinance No. 08-210 is available for inspection at Lake Elmo city hall during regular business hours.

**BE IT FURTHER RESOLVED** by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 15, 2018

**Mayor Mike Pearson**

ATTEST:  
Julie Johnson, City Clerk  
(Oakdale-Lake Elmo Review: May 30, 2018)