

ORDINANCE NO. 636

AN ORDINANCE OF THE VILLAGE OF SUTHERLAND, NEBRASKA, AMENDING THE SUTHERLAND VILLAGE CODE (ORDINANCE NO. 570) BY ESTABLISHING CHAPTER 5, ARTICLE 12 “GOLF CAR VEHICLES”; TO REPEAL ALL OTHER ORDINANCES AND RESOLUTIONS, OR PARTS THEREOF IN CONFLICT; TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE CODE OF THE VILLAGE OF SUTHERLAND; AND TO PROVIDE THE DATE THAT THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND THE BOARD OF TRUSTEES OF THE VILLAGE OF SUTHERLAND, NEBRASKA:

SECTION 1.

That Chapter 5, Article 12 of the Code of the Village of Sutherland (Ordinance No. 570) is hereby created and adopted and shall read as follows:

CHAPTER 5

TRAFFIC

ARTICLE 12. GOLF CAR VEHICLES

5-1201. GOLF CAR VEHICLES; DEFINED.

1. As used in this Article, unless the context otherwise requires, “Golf Car Vehicle(s)” means a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes. (Ref. 60-116.01 RS Neb.)

5-1202. GOLF CAR VEHICLES; OPERATION.

1. A Golf Car Vehicle may be operated on streets and highways, other than a controlled-access highway with more than two (2) marked traffic lanes, within the corporate limits of the Village of Sutherland, only if the operator and vehicle comply with the provisions of this Ordinance.
2. A Golf Car Vehicle shall not be operated on any controlled-access highway with more than two (2) marked traffic lanes, and the crossing of any controlled-access highway with more than two (2) marked traffic lanes shall not be permitted. The crossing of any one of these streets or avenues shall be permitted by a Golf Car Vehicle if:
 - (a) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street or avenue and at a place where no obstruction prevents a quick and safe crossing;
 - (b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or avenue;

(c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard; and

(d) The crossing is made only at an intersection of such street or avenue with another street or avenue. (Ref. 60-6,381 RS Neb.)

3. A Golf Car Vehicle may be operated as authorized in subsection (1) of this section when such operation occurs only between the hours of sunrise and sunset. (Ref. 60-6,381 RS Neb.)

4. A Golf Car Vehicle may be operated only on streets with a posted speed limit of thirty-five miles per hour or less. (Ref. 60-6,381 RS Neb.)

5. When operating a Golf Car Vehicle as authorized in subsection (1) of this section, the operator shall not operate such vehicle at a speed in excess of twenty (20) miles per hour. (Ref. 60-6,381 RS Neb.)

6. Any person operating Golf Car Vehicle shall have obtained a valid Class 0 Operator's License or a farm permit from the Nebraska Department of Motor Vehicles pursuant to the Motor Vehicle Operator's License Act (Ref. 60-6,381 RS Neb.)

1203. GOLF CAR VEHICLE: INSURANCE REQUIREMENT.

1. Any person operating a Golf Car Vehicle shall have liability insurance coverage for the Golf Car Vehicle while operating the Golf Car Vehicle within the Village of Sutherland.

2. The person operating the Golf Car Vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days after such a request.

2. The liability insurance coverage shall be subject to limits, exclusive of interest and costs, as follows: twenty-five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, fifty-thousand dollars because of bodily injury to or death of two or more persons in any one accident, and twenty-five thousand dollars because of injury to or destruction of property of others in any one accident. (Ref. 60-6,381 RS Neb.)

1204. GOLF CAR VEHICLES: VILLAGE PERMIT REQUIREMENTS.

1. It shall be unlawful for any person to operate any Golf Car Vehicle within the Village of Sutherland until the owner has demonstrated proof of insurance to the Village of Sutherland and obtained an insurance decal for the current year. The Village of Sutherland will issue a decal for the current year that must be affixed to the Golf Car Vehicle in a conspicuous place.

2. The Village of Sutherland will charge a fee set by resolution of the governing body for the issuance of the permit to operate a Golf Car Vehicle in the Village of Sutherland. A copy of the said resolution shall be kept on file at the office of the Village Clerk and shall be available for inspection at any reasonable hour.

1205. GOLF CAR VEHICLES: ACCIDENT REPORT.

If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician, the operator of each Golf Car Vehicle involved in the accident shall give notice of the accident in the same manner as provided in Neb. Rev. Stat. §60-699.

1206. GOLF CAR VEHICLES: PENALTY.

1. Any violation of this Ordinance may be punished under the penalty provision established in Chapter 5, Article 11 of the Sutherland Village Code.

5-1207. GOLF CAR VEHICLES: ENFORCEMENT.

Any peace officer of the State or of any political subdivision, including conservation officers of the Game and Parks Commission shall be charged with the enforcement of the provisions of this Article. (Ref. 60-678 RS Neb)

SECTION 2.

Ordinance 570 (Code Book) of the Village of Sutherland is hereby amended as stated herein and any ordinances, sections or resolutions in conflict with this ordinance are hereby repealed.

SECTION 3.

This ordinance shall be in full force and effect on July 1, 2019 after its passage, approval and publication according to law.

Passed, approved and adopted on this 8 day of May, 2019.

Tory Copeland,
Village Board Chairman

Attest:

Madelaine Lamm, Village Clerk