

CITY OF FLEMINGSBURG, KENTUCKY
GOLF CART PERMIT APPLICATION
PERMIT FEE \$25.00

Applicant _____

Address _____

City _____ St. _____ Zip _____

Driver's License Copy Attached _____

Sheriff Inspection Copy Attached _____

Proof of Insurance Copy Attached _____

Golf Cart Ordinance #9-19-1 presented to applicant: YES _____ NO _____

Make Checks payable to: City of Flemingsburg
P.O. Box 406
Flemingsburg, KY 41041

I understand that my golf cart permit may not be sold, loaned, given away, or transferred. All statements are true and correct to the best of my knowledge.

Signature _____ Date _____

OFFICE USE ONLY:

Permit No. _____

Date Issued _____

Date Expired _____

Permit Fee \$25.00 (Cash, Check or Credit Card) _____

SHERIFF'S INSPECTION CHECK LIST FOR GOLF CARTS

Owner's Name: _____ Operator's License Number _____

On September 9, 2019, the City of Flemingsburg, Kentucky adopted an ordinance permitting operation of golf carts on public roadways within the city limits with a posted speed limit of thirty-five (35) miles per hour or less.

In accordance with KRS 189.286, a certified inspector with the county sheriff shall inspect golf carts to ensure they comply with requirements outlined in this statute.

As defined by KRS 189.286:

"Golf cart" means any self-propelled vehicle that:

1. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
2. Has a minimum of four (4) wheels;
3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
4. Is designed to carry not more than six (6) persons, including the driver;
5. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
6. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
7. Is equipped with the following:
 - a. Headlamps;
 - b. Tail lamps;
 - c. Stop lamps;
 - d. Front and rear turn signals;
 - e. One (1) red reflex reflector on each side as far to the rear as practicable, and one (1) red reflex reflector on the rear;
 - f. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
 - g. A parking brake;
 - h. For each designated seating position, a seatbelt assembly that conforms to the federal motor vehicle safety standard provided in 49 C.F.R. sec. 571.209; and
 - i. A horn that meets the requirements of KRS 189.080

In addition, golf carts operated within the city limits of Flemingsburg, KY are required to display a slow-moving emblem in compliance with KRS 189.820.

Golf carts are to be insured in compliance with KRS 304.39-080 by the owner or operator and proof of insurance shall be inside the golf cart at all times of operation on a public highway.

This inspection form, proof of ownership and proof of insurance shall be submitted with the city's application form for special golf cart operation permit to the Flemingsburg City Clerk.

Inspector _____ # _____ Date of Inspection _____

**CITY OF FLEMINGSBURG, KENTUCKY
ORDINANCE NO. 9-19-1**

**AN ORDINANCE CREATING NEW PROVISIONS TO THE
FLEMINGSBURG CODE OF ORDINANCES AND AUTHORIZING THE
USE OF GOLF CARTS ON CERTAIN DESIGNATED CITY STREETS.**

WHEREAS, during the 2008 Session of the General Assembly of the Commonwealth of Kentucky, a new section of KRS Chapter 189 was created relating to the operation of golf carts on a public highway; and

WHEREAS, the City Council deems it appropriate and necessary to adopt such an ordinance;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FLEMINGSBURG,
KENTUCKY, THAT THE CITY OF FLEMINGSBURG SHALL REGULATE THE
OPERATION OF GOLF CARTS ON THE PUBLIC ROADWAYS SPECIFIED HEREIN
AS FOLLOWS:**

SECTION 1:

As used herein, the term "Golf Cart" means any self-propelled vehicle that:

1. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
2. Has a minimum of four (4) wheels;
3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
4. Is designed to carry not more than six (6) persons, including the driver;
5. Has a maximum gross weight of two thousand five hundred (2,500) pounds;
6. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
7. Meets the federal motor vehicle safety standards for low speed vehicles set forth in 49 C.F.R. sec. 571.500.

SECTION 2:

In compliance with Section 3, golf carts may be operated on all streets and alleys within the City of Flemingsburg that have designated speed limits of thirty-five (35) miles per hour or less.

SECTION 3:

In order to be operated on city streets, a golf cart shall:

1. Be issued a permit for the golf cart by the City as provided hereinafter under Section Seven;
2. Display a permit that identifies that the golf cart is allowed to be operated on specific roadways within the City which permit shall be numbered and affixed to the left lower side (driver's side) of the windshield of the vehicle;
3. Be inspected by a certified inspector designated by the Fleming County Sheriff's Office and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section;
4. The golf cart displays a slow-moving emblem in compliance with KRS 189.820;
5. Be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public highway;
6. Be operated only between sunrise and sunset;
7. Be operated by a person with a valid operator's license in his or her possession; and
8. Be operated without crossing a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour.

SECTION 4:

Any person operating a golf cart on a public highway under the provisions of this chapter shall be subject to the traffic regulations of KRS Chapter 189 and any other applicable provisions of this Code of Ordinances pertaining to the operation of vehicles upon City streets.

SECTION 5:

A golf cart operating on a public highway is not considered to be a motor vehicle and is exempt from:

1. Title requirements of KRS 186.020;
2. Vehicle registration requirements of KRS 186.050; and
3. Emissions compliance certificates pursuant to KRS 224.20-720.

SECTION 6:

1. The provisions of these sections shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.
2. The Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated under Section 2 that crosses a state-maintained highway under its jurisdiction if the Transportation Cabinet determines that such prohibition is necessary in the interest of public safety.

SECTION 7:

The Flemingsburg City Clerk shall prepare an application form for the special golf cart operation permit and shall charge a yearly fee of twenty-five dollars (\$25.00) for each permit issued annually beginning July 1, 2019. Subsequent renewals of the permit shall be due on or before July 1st of each year thereafter. There shall be no proration of the fee for any permit issued after July 1st, and all permits issued after July 1st shall expire on the following June 30th. Insurance and proof of inspection by a certified inspector shall be presented prior to issuance of an official permit by the City clerk. The permits shall be numbered and the City Clerk shall maintain detailed records relative to the issuance of same.

SECTION 8:

Any person violating the provisions of this Ordinance shall, upon conviction of a first offense, be fined not less than \$25.00 plus court costs. Any person convicted of a subsequent violation of this Ordinance within two years of a prior conviction under this Ordinance, shall be fined not less than \$50.00 plus court costs.

SECTION 9:

This Ordinance shall take effect upon its adoption and publication as required by law.

This Ordinance shall be effective upon passage by City Council after two readings, and publication as required by law, and effective on the 9th day of September, 2019.

COUNCIL ACTION (#9-19-)

First Reading of this Ordinance was had on August 12, 2019.

Joetta Marshall
Joetta Marshall, City Clerk

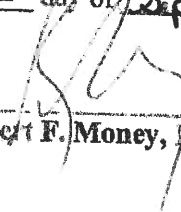
Second Reading of this Ordinance was had on the 9th day of September, 2019, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

Ricky Hurst	<u>No</u>
Georgianna Sparks	<u>Absent</u>
Meredith Story	<u>Yes</u>
Danny Carpenter	<u>Yes</u>
Angie Graham	<u>Yes</u>
Blake Harmon	<u>Yes</u>

Joetta Marshall
Joetta Marshall, City Clerk


MAYORAL APPROVAL (#9-19-)

I hereby accept and approve the foregoing Ordinance No. 9-19- 1 and direct same to be published in accordance with applicable law this 9th day of September, 2019.




Robert F. Money, Mayor

Attest:



Joetta Marshall, City Clerk

PREPARED BY:



Darrell K. Ruark
City Attorney
Suit, Price, Price & Ruark, PLLC
207 Court Square
Flemingsburg, KY 41041
Phone: 606-849-2338

</City/Ordinance-Golf Cart (7-19)>