

**CITY OF LANGLEY
Langley, Washington**

ORDINANCE NO. 977B

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, RELATING TO OPERATION OF GOLF CARTS; AMENDING THE CITY CODE TO ALLOW THE USE OF GAS-POWERED GOLF CARTS IN CONNECTION WITH SPECIAL EVENT PERMITS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 6, 2012, the City Council adopted Ordinance 968, creating a golf cart zone within the City limits and setting forth requirements and limitations on such use, codified under Chapter 10.24 of the City Municipal Code;

WHEREAS, Chapter 10.24 applies solely to electric-powered golf carts; and

WHEREAS, there are instances in which golf carts may be rented to transport visitors to and from special events and those golf carts may be gas-powered as opposed to electric-powered; and

WHEREAS, it is in the best interest of the City to amend Chapter 10.24 to allow the use of gas-powered golf carts in connection with a special event permit;

NOW, THEREFORE, be it ordained by the Council of the City of Langley, Washington, as follows:

Section 1. Chapter 10.24 of the City Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

Section 10.24.010. Definitions.

...

B. "Golf Cart" for the purposes of this ordinance is defined as an electric-powered or gas-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles per hour. A Golf Cart is not a nonhighway vehicle or off-road vehicle as defined in RCW 46.09.020. A Golf Cart is not considered a motor vehicle, except for the purposes of Chapter 46.61 RCW.

...

Section 10.24.020. Regulation of Golf Cart Use.

The following provisions apply to all Golf Carts, except that gas-powered Golf Carts shall only be used in association with a valid special event permit:

...

Section 10.24.030. Registration.

All Golf Carts, except gas-powered Golf Carts being used in connection with a valid special event permit, shall be registered with the City prior to operation upon the public roadways within the City of Langley. The sole purpose of the registration is to identify the owners of the Golf Carts being operated as provided herein. Registration of a Golf Cart is not intended to and shall not operate to warrant or guarantee that the Golf Cart meets any particular standard or condition or that it may be safely operated upon the public roadways within the City of Langley. Registration shall be made in the manner set forth as follows:

...

Section 10.24.040. Penalty for Noncompliance.

No person may operate a Golf Cart on public streets or roads located outside those areas designated as Golf Cart Zones or within the Golf Cart Zone without registration (except gas-powered Golf Carts used in connection with a valid special event permit) or in violation of the regulations adopted in this chapter. Upon a determination that a violation of this chapter has occurred, law enforcement officers may, pursuant to RCW 7.80, et seq., issue a Class I civil infraction with a fine not to exceed \$250.00 to any included person, including parent or guardian found in violation of the provisions of this Chapter, PROVIDED: Golf Cart operators shall also be subject to all duties, infractions and penalties as set forth in RCW 46.61, et seq.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days from the date of publication.

PASSED by the City Council and **APPROVED** by the Mayor on this 6th day of August, 2012.

MAYOR



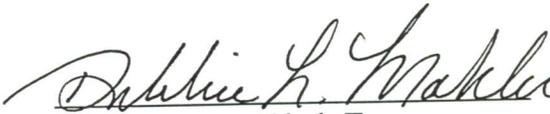
Larry Kwarsick, Mayor

APPROVED AS TO FORM



Michael R. Kenyon, City Attorney

ATTEST



Debbie Mahler, Clerk-Treasurer

Published: _____



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