



Item #17.

Staff Report 199-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/7/2019
1/7/2019

SUBJECT Golf Cart Zones

Key Points

- Clark College has an operational need for the use of golf carts to facilitate security, campus tours and daily operations.
- Under state law, golf carts cannot legally cross Fort Vancouver Way unless a Golf Cart Zone is created by local ordinance.
- The City of Vancouver has the authority to create a Golf Cart Zone, thereby assisting Clark College in its efforts to facilitate safe and convenient transportation upon and across its campus by use of Golf Carts.

Strategic Plan Alignment

Goal 10, Objective 10.1: Lend the City's support, as appropriate, to assist with the success of community projects.

Present Situation

Clark College has an operational need for golf carts to facilitate security, campus tours and daily operations. By state law, golf carts cannot travel on public roads or highways except within a "golf cart zone" created by local ordinance. Fort Vancouver Way bisects Clark College and is classified as a "highway" pursuant to Washington State Law (RCW 46.04.197). This poses logistical challenges for the College. The City of Vancouver has the authority to create a Golf Cart Zone (RCW 46.08.175).

The proposed ordinance would create a new Chapter 9.41 VMC "Golf Cart Zones" and provide for the creation of a Golf Cart Zone in the area where Fort Vancouver Way bisects the Clark College campus. The Golf Cart Zone Ordinance would contain the following additional provisions:

- Hours of lawful operation would be from 6 a.m. – 6 p.m.
- Operators must be 16 years of age or older and have a valid driver's license from a U.S. State or territory.

- Golf carts must yield to pedestrians and bicycles and be operated with appropriate regard to safety.
- Golf carts must meet equipment standards established by state law.

Advantage(s)

The proposed Ordinance, if adopted, would assist Clark College in its efforts to facilitate safe and convenient transportation upon and across its campus by use of Golf Carts.

Disadvantage(s)

No disadvantages have been identified.

Budget Impact

No significant budget impacts have been identified.

Prior Council Review

Council Workshop - December 10, 2018
Passed on First Reading - December 17, 2018

Action Requested

On Monday, January 7, 2019, subject to second reading and public hearing, approve the Golf Cart Zone Ordinance.

Jonathan Young, Chief Assistant City Attorney, 487-8511

ATTACHMENTS:

- Golf Cart Zone Ordinance

12/17/18
01/07/19

ORDINANCE NO. M-4260

AN ORDINANCE of the City of Vancouver relating to Golf Cart operation on specified roadways and establishing a Golf Cart Zone; creating a new Chapter within Title 9 of the Vancouver Municipal Code (VMC) “VMC 9.41 Golf Cart Zones”; creating VMC 9.41.010 “Establishment of Golf Cart Zones”, VMC 9.41.020 “Operation of Golf Carts”, VMC 9.41.030 “Equipment Standards”, VMC 9.41.040 “Penalty”; providing for severability; and providing for an effective date.

WHEREAS, it is illegal to operate a Golf Cart on streets, highways or pedestrian pathways within the State of Washington unless permitted by local ordinance; and

WHEREAS, the Clark College campus is bisected by Fort Vancouver Way and Clark College has a need for the establishment of a Golf Cart Zone to assist in facilitating the safe and convenient passage of its officers, directors, employees, visitors and patrons between college buildings and property on the Clark College Campus; and

WHEREAS, pursuant to the Revised Code of Washington State (RCW) 46.08.175, the City possesses the power to designate a “Golf Cart Zone” wherein Golf Carts may be operated on public highways and roadways; and

WHEREAS, other jurisdictions in the State of Washington have enacted similar ordinances; and

WHEREAS, this ordinance is an exercise of the city of Vancouver’s police and legislative authority derived from Wash. Const. art. XI, § 11 and is consistent with RCW 35.22.280, and is to protect the public’s health, safety and welfare;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The City Council declares that the purpose of this Ordinance is to establish a Golf Cart Zone in the vicinity of Clark College to assist the College in its efforts to facilitate safe and convenient transportation upon and across its campus by use of Golf Carts.

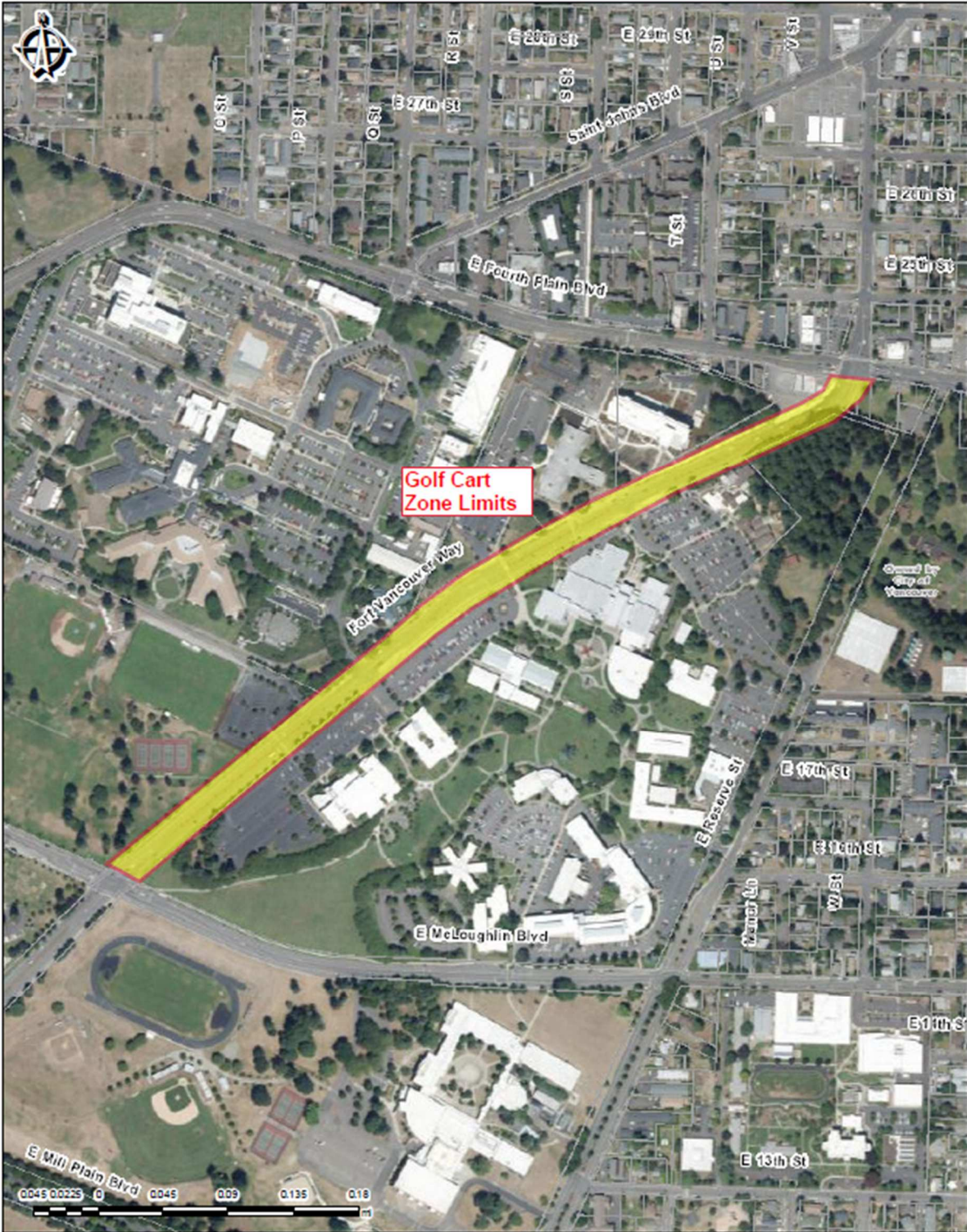
Section 2. A new Chapter, 9.41 VMC “Golf Cart Zones” is hereby created.

Section 3. Sections 9.41.010 through 9.41.040 are hereby created and read as follows.

Section 9.41.010 Establishment of Golf Cart Zones

A. A Golf Cart Zone is hereby created on Fort Vancouver Way north of E. McLoughlin Boulevard and south of E. Fourth Plain Boulevard. The boundaries of the Fort Vancouver Way Golf Cart Zone are shown on Figure 9.41.010 – 1.

Figure 9.41.010-1



B. The City Traffic Engineer shall mark the boundaries of each Golf Cart Zone established pursuant to this Section with signage consistent with boundaries set forth herein.

Section 9.41.020 Operation of Golf Carts

Within a Golf Cart Zone established pursuant to Section 9.41.010 VMC:

A. Golf Carts may be operated by individuals who are at least sixteen years of age who have a valid driver's license from a U.S. state or territory. A person who has a revoked license pursuant to RCW 46.20.285 may not operate a Golf Cart under this Chapter.

B. Golf Cart operators are granted all rights and subject to all duties of RCW 46.61.

C. No Golf Cart shall be operated faster than is reasonable and proper and every Golf Cart shall be operated with reasonable regard for the safety of the operator, passengers, and other persons or property. No operator shall transport more passengers than the manufacturer's designed seating capacity. All passengers must be seated during operations. The use of seatbelts by Golf Cart operators and passengers is mandatory.

D. Between the hours of 6 p.m. to 6 a.m., the operation of Golf Carts is prohibited.

E. Golf Carts may travel on all portions of the public streets and rights-of-way that have a speed limit of twenty-five miles per hour or less located within the golf cart zone. Golf Carts may not travel within city sidewalks, designated bicycle lanes, or pedestrian crosswalks, and operators are required to yield to occupants thereof in accordance with RCWs 46.61.261 and 46.61.235. This provision shall not be construed to limit lateral passage across sidewalks and bicycle lanes by Golf Carts otherwise operated in compliance with this Chapter.

F. Subject to the provisions of this Chapter, Golf Carts may cross all public highways and roadways at locations that have traffic control devices.

Section 9.41.030 Equipment Standards

All Golf Carts operated within a Golf Cart Zone established under Section 9.41.010 VMC must comply with the equipment standards established by applicable state law.

Section 9.41.040 Penalty

Any violation of the provisions of this section shall be a class one civil infraction under RCW 7.80.120 with a fine not exceeding two hundred and fifty dollars.

Section 4. Severability. If any clause, sentence, paragraph, section, or part of this Ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. This Ordinance shall be effective thirty days after adoption.

Read first time: December 17, 2018

Ayes: Councilmembers Lebowsky, Stober, Topper, Turlay, Hansen, Mayor McEnerny-Ogle

Nays: Councilmembers None

Absent: Councilmembers Glover

Read second time: January 7, 2019

PASSED by the following vote: 6-0

Ayes: Councilmembers Lebowsky, Glover, Stober, Turlay, Hansen, Mayor McEnerny-Ogle

Nays: Councilmembers None

Absent: Councilmembers None

SIGNED this 7th day of January, 2019.

DocuSigned by:



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Anne McEnerny-Ogle, Mayor

DocuSigned by:



661359AB277E439...

Natasha Ramras, City Clerk

By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

DocuSigned by:



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E. Bronson Potter, City Attorney

SUMMARY

ORDINANCE NO. M-4260

AN ORDINANCE establishing a Golf Cart Zone on Fort Vancouver Way north of E. McLoughlin Boulevard and south of E. Fourth Plain Boulevard; creating a new Chapter within Title 9 of the Vancouver Municipal Code (VMC) “VMC 9.41 Golf Cart Zones”; creating VMC Sections 9.41.010 “Establishment of Golf Cart Zones”, 9.41.020 “Operation of Golf Carts”, 9.41.030 “Equipment Standards”, 9.41.040 “Penalty”; providing for severability; and providing for an effective date.

The full text of this Ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at (360) 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

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415 W. 6th Street

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Vancouver, WA 98668

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Anne McEnery-Ogle

anne.mcenery-ogle@cityofvancouver.us

City of Vancouver

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E. Bronson Potter

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City of Vancouver

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Carrie Lewellen

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City of Vancouver

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