

ORDINANCE 04-2021

AMENDMENT TO ORDINANCE 08-2013 THE USE OF GOLF CARTS AND LOW SPEED VEHICLES ON THE STREETS AND ALLEYS OF THE CITY OF DIAMOND CITY.

WHEREAS, the City of Diamond City adopted the Arkansas House Bill 1269 amending ACT 170 TO AMEND THE LAW CONCERNING THE OPERATION OF GOLF CARTS AND ADDING TO THE ORINANCE UTV'S/ SIDE BY SIDES. A UTV/side by side is defined as a reactional off road vehicle that is designed to sit the driver and the passenger side by side, designed to sit 2-6 passengers.

WHEREAS; the City of Diamond City desires to set regulation to manage the use of golf carts and UTV/side by sides on the City streets, roads and alleys in order to preserve safety and traffic flow within the City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIAMOND CITY, ARKANSAS THAT THE ORDINANCE IS AMENDED TO AS FOLLOWS;

Section 1: Golf Cart; described in capable of not exceeding 20 miles per hour, subject to state and local requirements regarding safety equipment. Have 4 wheels, not to exceed 25 miles per hour. Must have valid driver's license.

Section 2: The use of a golf cart or a UTV is permitted on the streets and alleys of the City of Diamond City as allowed by Arkansas State law. Golf carts may not be driven on Highway 7, but after a careful assessment of traffic, may cross the highway where there is a connecting street on the other side at a right angle to the highway.

Section 3; A golf cart or UTV is permitted on the streets, roads and alleys of the City of Diamond City shall at all times be operated by an individual who possesses an valid State issued drivers licenses or permit. Drivers with a permit must be accompanied by an adult with a valid driver's license.

Section 4; Drivers of golf carts and UTV must ensure all passengers remain seated and abide by golf cart /UTV manufactures capacity limits. Suggested safety equipment is recommended for minors, such as helmets.

Section 5; Golf carts and UTV'S may not be operated at night unless equipped with operational headlights, brake lights and turn signals.

Section 6; Each golf cart and UTV must be registered at Diamond City City Hall and a registration sticker will be assigned to that vehicle and be placed in a spot on that vehicle that can be seen. A onetime fee of \$5.00 per vehicle. Funds go into Diamond City Police Funds.

Section 7; It is recommended that a person not operate a golf cart or UTV on the streets, roads and alleys of Diamond City unless they be financial responsibility for any unforeseen liability. It is not required but recommended

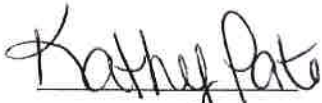
~~Section 8: No 401 or 401 Quad Quad bike or Dirt bike as described as a vehicle that uses or low pressure tires, with a seat that is straddled by the operator along with handle bars for steering control, a vehicle that has no headlights, no turn signal or brake lights may not be used in the City limits of Diamond City.~~

Section 9; A person who violates this ordinance shall on the first offense be fined a sum not to exceed \$50.00. A person who violates this ordinance a second time within a calendar year shall be fined a sum not to exceed \$100.00. A person who violates this ordinance a third time or more shall be fined a sum not to exceed \$150.00 and/or lose privilege or suspend future use in the City limits of Diamond City.

Section 10; All fines collected pursuant to **Section 9** shall be deposited in the Police Fund of the City of Diamond City.

Emergency Clause: For the well-being of the citizens of the City of Diamond City and the safety therefore, it is necessary to implement this ordinance immediately upon passage. There, this Ordinance shall be in full force and effect from and after its passage and adoption by the City Council as provided by law and until such time the rates and charges now existing shall continue in effect.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DIAMOND CITY, ARKANSAS THIS 25TH DAY OF MAY 2021.


Recorder/ Kathy Pate


Mayor/ Jaime Nuessner