

ORDINANCE 2009-3

An Ordinance Regulating the Operation of All-Terrain Vehicles(ATVs), Lawn Tractors, Riding Mowers, Go-Carts, Golf Carts; and Motor-driven Cycles and/or Mo-peds with Engine Displacement of 250cc or Less

Whereas, the roads and streets in the City of Cherokee Village are solely designed for use by operators of licensed motor vehicles, and;

Whereas, Arkansas state statutes regulating licensed vehicles and unlicensed vehicles are enforced within the city limits of the City of Cherokee Village, and;

Whereas, to promote safe motor vehicle operation and to further ensure the safety of the citizens of the City of Cherokee Village.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CHEROKEE VILLAGE, ARKANSAS

Section 1: All-Terrain Vehicles(ATVs), Utility-Terrain Vehicles(UTVs), and other vehicles as defined by Arkansas State Code (ACA 27-21-102) are prohibited from being operated on the streets and roads within the city limits of the City of Cherokee Village, except as provided by ACA 27-21-106.

Section 2: Riding Lawn Mowers or Lawn Tractors and Go Carts are prohibited, from being operated as a method of transport, on the streets and roads within the city limits of the City of Cherokee Village.

Section 3: Use of golf carts in the City of Cherokee Village is subject to the following regulations:

(a)Golf Cart Operation:

- . A Golf Cart operator must be 16 years of age or older to operate a golf cart on the roads and streets within the city limits of the City of Cherokee Village;
- . No golf cart is permitted on any city road or street designated as a federal or state highway;
- . Use of golf carts is restricted to those city roads and streets that are posted with a speed limit of 30mph or less;
- . The golf cart must be kept to the far right side of the road traveling with the direction of traffic;

- . Golf carts are permitted to be on the roads and streets during daylight hours;
- . Golf carts can only be operated from the owner's place of residence to the golf course and to return from the golf course to the owner's residence

(b)Golf Cart Equipment: A golf cart being operated on the roads and streets of the City of Cherokee Village must have the following equipment installed and be in good working order:

- . Adequate brakes;
- . A rearview mirror;
- . A warning flag affixed, that is no more than 12 inches in length and no less than 6 inches wide, displayed a minimum of 7 feet above ground level.

(c) Beginning on July 1, 2013, golf carts being operated on the roads and streets of the City of Cherokee Village must be equipped with taillights that illuminate when the brakes are applied.

Section 4: Motor-driven Cycles and/or Mo-peds, with engine displacement of 250cc or less, may be operated on the roads and streets of the City of Cherokee Village only by a licensed driver 16 years of age and older; or by a person between the ages of fourteen and sixteen holding a valid state-issued special license. All other regulations appertaining to Motor-driven Cycles and/or Mo-peds are governed by Arkansas State Code (ACA 27-20-101 through ACA 27-20-111).

Section 5: Violators of this ordinance shall be assessed a penalty of not more than \$50.00.

Section 6: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL

DATED 6-25-09

APPROVED: Lloyd W. Hefley
Lloyd W. Hefley, Mayor

ATTEST: Phyllis Endrihs
Phyllis Endrihs, Clerk/Treasurer