

TOWN OF LYONS, COLORADO

ORDINANCE 1132

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO,
AMENDING CHAPTER 8 ARTICLE 3 OF THE LYONS MUNICIPAL CODE CONCERNING
GOLF CARTS**

WHEREAS, pursuant to Sections 31-15-401 and 31-23-301, C.R.S., the Town of Lyons ("the Town") has broad authority to exercise its police powers to promote and protect the health, safety and welfare of the community and its residents; and

WHEREAS, pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Town previously adopted regulations regarding golf carts and low speed electric vehicles in Article 3 of Chapter 8 of the Lyons Municipal Code ("LMC"); and

WHEREAS, the Town desires to establish a registration process for golf carts and low speed electric vehicles and make other changes to the regulations for golf carts; and

WHEREAS, the necessary changes to the LMC to enact such a program are reflected in a redlined version of the LMC attached as **Exhibit A** and in a clean version attached as **Exhibit B**, both of which are attached hereto and incorporated by reference; and

WHEREAS, The Lyons Board of Trustees desires to amend Article 3 of Chapter 8, of the LMC to create regulations for golf carts, and determines that such amendments promote the health, safety and welfare of the citizens of and visitors to the Town of Lyons.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. Incorporation of Recitals. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Article 3 of Chapter 8 is hereby repealed in its entirety and hereby replaced to read as follows:

ARTICLE 3 - Golf Cars (commonly known as Golf Carts), Low-Speed Electric Vehicles, ATVs, and UTVs

Sec. 8-3-10. Operation of low-speed electric vehicles, golf cars.

(a) Defined.

- (1) "Golf car" means a self-propelled vehicle not designed for operation on roadways and that has:
 - a. A design speed of less than twenty (20) miles per hour;
 - b. At least three (3) wheels in contact with the ground;
 - c. An empty weight of not more than one thousand three hundred (1,300) pounds; and
- (2) "Low-Speed Electric Vehicle" (LSEV) means a vehicle that:
 - a. Is self-propelled utilizing electricity as its primary propulsion method
 - b. Has at least three (3) wheels in contact with the ground;
 - c. Does not use handlebars to steer; and
 - d. Exhibits the manufacturer's compliance with 49 CFR 565 or displays a seventeen-character vehicle identification number as provided in 49 CFR 565.

(b) Registration of golf cars, low speed electric vehicles

- (1) All golf cars and low speed electric vehicles must be registered with the Town of Lyons

(c) Operation of golf cars, low-speed electric vehicles:

- (1) No golf car or LSEV may be operated on any state highway within the Town limits, except as provided below.
- (2) Golf cars and LSEVs may cross a state highway at a designated street intersection.
- (3) Golf car and LSEV operators must comply with all provisions of the Model Traffic Code, the Lyons Municipal Code and C.R.S. Title 42 related to traffic rules and regulations. Nothing in this section shall relieve an owner or operator of a golf car or LSEV of any obligation imposed by local and state law applicable to golf cars/LSEVs, including but not limited to those relating to financial responsibility.
- (4) All golf cars and LSEVs shall be properly equipped and registered as provided by law.
- (5) The speed of any golf car or LSEV shall not exceed twenty (20) miles per hour.
- (6) Golf cars and LSEVs shall display the emblem "slow moving vehicle" to be visible from a distance of twenty-five (25) yards from the back of the golf car or LSEV.
- (7) No owner or operator of a golf car or LSEV shall carry a greater number of persons or a greater load than that specified by the manufacturer. The driver and all passengers must be seated in the seat(s) designed and intended for such purpose.
- (8) Any person age sixteen (16) or younger not in the front seat must be secured by at least a two-point safety harness (seat belt) at all times while operating or riding in an LSEV or golf car on Town streets or rights-of-way.
- (9) No person shall operate a golf car or LSEV on a Town-owned or maintained trail, except as permitted and posted by the Town.
- (10) The operator of a golf car or LSEV must hold a valid driver's license.

- (11) All golf cars and LSEVs shall be equipped with a rear-view mirror
- (12) All golf cars and LSEVs shall stay to the right side of the road when other vehicle traffic is present unless doing so presents a danger to the golf cart operator or passengers.
- (13) All operators shall use hand signals if the golf car or LSEV is not equipped with turn signals.
- (14) All golf cars and LSEVs operating at night shall be equipped with lights
- (15) Parents or Guardians shall be held responsible for any golf car or LSEV violation involving unlicensed minors.
- (16) All golf cars and LSEV shall be maintained in good working order and properly insured.
- (17) All golf cars and LSEVs shall stop at stop signs and red lights. Golf cars and LSEVs shall stop at crosswalks when pedestrians are present.

(c) This section is designated as a non-criminal violation. Upon conviction, the penalties set forth at Lyons Municipal Code Section 1-4-1 shall apply.

Sec. 8-3-20. Unlawful operation of All-terrain Vehicle (ATV), Utility Terrain Vehicle (UTV), and Gas-Powered Carts.

- (a) It shall be unlawful to operate any all-terrain vehicle (ATV), Utility Terrain Vehicle (UTV), or any other gas-powered cart that is not a legal automobile or legal motorcycle, anywhere within the Town limits.
- (b) This section is designated as a non-criminal violation. Upon conviction, the penalties set forth at Lyons Municipal Code Section 1-4-1 shall apply.

Section 3. Code Revisions. Because this Ordinance revises an entire Article of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances, resolutions, codes, or parts thereof, which are in conflict or inconsistent with this ordinance are repealed, to the extent of such conflict or inconsistency exists. The repeal of any such ordinance, resolution, or code or part thereof, shall not revive any other section or part of any ordinance, resolution, or code provision. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to this ordinance taking effect.

Section 6. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Sections 2 of this Ordinance

within the Lyons Municipal Code.

Section 7. Effective Date. This Ordinance shall become effective January 1, 2023.

INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF ____ 2022.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON SECOND
READING THIS 3rd DAY OF October 2022.

TOWN OF LYONS, COLORADO



Hollie Rogin, Mayor

