

## NOTICE OF PUBLIC HEARING

Tuesday, August 11, 2020, at 6 p.m. at the Regular Council Meeting, at Underwood City Hall, 241 Third Street, Underwood, IA, for the following proposed city ordinance changes. There will be the Public Hearing, First Reading and Waive the Second and Third Reading.

- Irrigation Meter

### Chapter 99.13 IRRIGATION METER (PROPOSED Revision)

#### 99.13 IRRIGATION METERS.

1. The total usage recorded on the irrigation meter shall be subtracted from the main meter's usage to calculate sewer charges.
2. Irrigation meters will be considered a part of the sanitary sewer system and shall be governed and enforced in accord with this chapter and with Section 95.07 of this Code of Ordinances.
3. Residential property owners maintaining a connected irrigation meter shall be charged a monthly fee in an amount that shall be established by way of resolution.
4. Upon written request to the City, any residential property owner utilizing an irrigation meter may discontinue usage of said meter.
5. Any homes that are sold that have irrigation meters, the new home owners will not be allowed to activate those meters.
6. Any developer is only allowed to use irrigation meter upon approval for each construction site for a maximum of 4 weeks until the sod gets established.
7. No future irrigation meters will be installed in any current or new structure, building, effective the date of the ordinance.
8. Any violations will result subject to penalties under Iowa code.

- Golf Carts

### Chapter 78 GOLF CART (PROPOSED Addition)

#### GOLF CARTS

78.01	Purpose	78.07	Traffic Code
78.02	Operation of Golf Carts Permitted	78.08	Permits
78.03	Prohibited Locations	78.09	Accident Reports
78.04	Equipment	78.10	Violation and Penalty
78.05	Hours	78.11	Annual Review
78.06	Speed		

**78.01 PURPOSE.** The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cart is operated on any street or alley, subject to those exceptions stated herein.**78.02 OPERATION OF GOLF CARTS PERMITTED.** Golf carts may be operated upon the streets of the City by persons who are 18 years of age or older and have a valid operator's license, except as prohibited in Section 78.3 of this chapter. While operated on a city street the number of passengers permitted on a golf cart shall not exceed the number of seats intended for passengers. While on city streets, operators must have on their person or in the golf cart proof of the required insurance.

#### **78.03 PROHIBITED LOCATIONS.**

1. Streets. Golf carts shall not be operated upon any City Streets with a posted speed limit of greater than 25 mph or any City streets or parts of any City streets listed below:

- A. Railroad Highway (Old Highway 191)
- B. G-30 – North Street (West from Railroad Highway to High School)
- C. G-30 – from I-80 exit ramp West to Railroad Highway
- D.

However, golf carts may cross the aforementioned streets.

2. Trails. Golf carts shall not be operated on any recreational, bike or walking trail.
3. Sidewalks. Golf carts shall not be operated upon sidewalks.
4. “Parking”. Golf carts shall not be operated upon that portion of a street right-of-way between the curb or edge of street paving and the sidewalk referred to as the “parking”.
5. City Parks and other land owned by the City of Underwood. Golf carts shall not be operated in City parks or upon other city owned land unless for a special event authorized by the City Council and the operator possess a valid City of Underwood permit.
6. Special Exemptions. The City Council is authorized to permit golf carts to operate on restricted City streets for certain special events.

**78.04 EQUIPMENT.** Golf carts operated upon City streets shall be equipped with at least the following:

1. A rear-view mirror
2. A bicycle safety flag, the top of which shall be a minimum of five (5) feet from ground level, and extend a minimum 2 feet above the highest point of the golf cart.
3. Golf carts operated on city streets shall be equipped with adequate brakes to stop and hold the cart in a stopped position.

**78.05 HOURS.** Golf carts may be operated on City streets only between sunrise and sunset as set by the U. S. Naval Observatory in Central Standard Time.

**78.06 SPEED.** Speed. No golf cart shall be operated at a speed in excess of the lesser of twenty-five (25) miles per hour or that posted. Golf carts shall not be modified to increase speed.

**78.07 TRAFFIC CODE.** Any person operating a golf cart, including those for which a City of Underwood permit has been issued, shall strictly adhere to all traffic signs and signals and all other traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic. No person shall leave a golf cart unattended on public property while the motor is running, or the keys are in the ignition switch.

**78.08 PERMITS.** No person shall operate a Golf Cart on any public street, or alley for any purpose unless the Golf Cart has passed a safety inspection by the City of Underwood Public Works Department and the operator possesses a City of Underwood permit to operate a golf cart on city streets, issued by the City Clerk.

1. Golf cart owners may apply for a permit from the Underwood City Clerk on forms provided by the City.
2. The Clerk shall not issue a permit until the owner/operator has provided the following:
  - A. Evidence that the owner/operator possesses a valid driver’s license.
  - B. Proof owner/operator has liability insurance (minimum limit of \$300,000 coverage) covering operation of golf carts on city streets.
  - C. A form indicating that the golf cart has passed the required inspection conducted by the Underwood Public Works Department. The fee for such inspection shall be set by resolution. This is a one-time inspection. Vehicles that pass an inspection will not need to be re-inspected unless the vehicle is found in violation of this code, then a vehicle might need to be inspected again.
3. The operator of a golf cart shall display the City of Underwood permit sticker prominently on a rear fender or on a similar component which is clearly visible from the rear.
4. All permits issued shall uniquely identify the name and address of the owner/operator.
5. The annual fee for such permits shall be set by resolution.
6. The permits expire annually on December 31 regardless of the date of issue.
7. Permits can be revoked by the Underwood City Council as result of any violation of the City’s Code or the Code of Iowa. The revocation, including a description of the violation, shall be provided in writing to the owner of the golf cart. The revocation may be appealed to the City Council within 10 days of the written notice of revocation of the permit. The owner shall request the appeal in writing and submit the appeal to the City Clerk.

**78.09 ACCIDENT REPORTS.** Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever a Golf Cart is involved in an accident resulting in injury or death to

anyone, or property damage amounting to one thousand dollars (\$1,000) or more, and shall file an accident report within forty-eight (48) hours, in accordance with State law.

**78.10 VIOLATION AND PENALTY.**

1. Any person guilty of violating the provisions herein shall be guilty of a misdemeanor and shall be subject to a fine of one-hundred dollars (\$100.00) and revocation of the City of Underwood permit for a period of six months.
2. Any person guilty of violating this ordinance two times shall be subject to a fine of three-hundred dollars (\$300.00) and permanent revocation of the City of Underwood permit.
3. Persons violating this ordinance may also be prosecuted, and subject to the penalties set out in, Section 321I.36 of the Code of Iowa.

**78.11 ANNUAL REVIEW.** The City Council shall annually review Chapter 78 to determine if the ordinance warrants amendment or repeal.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Agreement. After receiving objections, the City may determine to enter into the Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Underwood, Iowa.  
Cindy Sorlien-City Administrator/Clerk