

**ORDINANCE NO. 2025-01
AN ORDINANCE OF THE
CITY OF WALHALLA, NORTH DAKOTA,
RELATING TO GOLF CARTS ON CITY STREETS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALHALLA, NORTH DAKOTA, AS FOLLOWS:

Chapter Nine, Article 11A regarding Regulations for Golf Carts of the Revised Ordinances of the City of Walhalla, North Dakota, is hereby repealed, replaced and reenacted to read as follows:

9.11A01 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Golf cart" means a gas or electric three or four wheel vehicle commonly used to transport golfers and their golfing equipment while playing the sport of golf.
2. "Operate" means to ride in or on and control the operation of a golf cart.
3. "Operator" means every person who operates or is in actual physical control of a golf cart.
4. "Owner" means a person, other than a lienholder, having the property in or title to a golf cart and is entitled to the use or possession thereof.
5. "Person" includes an individual, partnership, corporation, limited liability company, association, the state and its departments, agencies, and political subdivisions, and any body of persons, whether incorporated or not.
6. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

9.11A02 Exempt from Registration and Equipment Provisions of N.D.C.C. Title 39

Golf carts operating on the streets, avenues, roadways, and alleys in the City and which meet the requirements of this article shall be exempt from title, registration, and equipment provisions applicable to motor vehicles under N.D.C.C. Title 39.

9.11A03 Penalty

1. Any person who violates subsection 9.11A05(8)(d)(ii) or (iii) shall be guilty of a misdemeanor.
2. Any person who violates any provision of this article not constituting a misdemeanor shall be assessed a fee as established by resolution of the City Council.

9.11A04 Enforcement

Peace officers of the City or of the State of North Dakota, and their respective duly

authorized representatives, are hereby authorized to enforce the provisions of this article.

9.11A05 Operating Rules

The following rules apply to the operation of golf carts pursuant to this article:

1. No person shall operate a golf cart upon any street, avenue, roadway, or alley in the City except as provided by this article.
2. No person owning or having custody or control of a golf cart shall operate, or permit the operation of, such golf cart upon any real property or land within the City not owned or leased by such person except for golf carts which are owned or leased by a City resident and regularly stored or garaged in the City.
3. No person owning, leasing or having custody or control of a golf cart shall operate or permit to be operated any golf cart upon any street, avenue, roadway, or alley with the City, except as permitted hereafter and under the following circumstances and conditions:
 - a. An operator must be in possession of a valid driver's license/driver's permit.
 - b. Any person who rides as a passenger on a golf cart must be seated.
 - c. A golf cart being operated on any street, avenue, roadway, or alley in the City shall have no more than two (2) persons, including the operator, on the golf cart.
 - d. A golf cart shall be operated only during daylight hours, between sunrise and sunset.
 - e. The operator of a golf cart shall observe all traffic laws, except as provided in this article.
4. Notwithstanding the circumstances and conditions set forth in subsection 3 of this section, no golf cart shall be operated, or permitted to be operated:
 - a. On a street, avenue, roadway, or alley which has been designated as prohibited for such operation, except crossing at an intersection.
 - b. On any federal, state, or county highways in the City, except that a golf cart may be operated for the perpendicular crossing of any such highways, except as otherwise provided.
 - c. A golf cart may make a direct crossing of a street or highway provided:
 - (1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;
 - (2) The operator yields the right-of-way to all oncoming and crossing traffic which constitutes an immediate hazard;
 - and (3) in crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.
 - d. It shall be unlawful for any person to operate any golf cart in the following ways which are declared to be unsafe and a public nuisance:

- i. At a rate of speed greater than reasonable or proper under all the surrounding circumstances; in any case, no golf cart shall be operated within the City at a speed greater than fifteen (15) miles per hour.
- ii. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage to another person or the property of another.
- iii. While under the influence of intoxicating liquor or a controlled substance.
- iv. If the golf cart is gas operated and without a manufacturer-installed or equivalent muffler in good working order and connected to the golf cart exhaust system.
- v. A person may not operate a golf cart in the City without a valid policy of liability insurance in effect in order to respond to damages for liability arising out of the ownership, maintenance or use of that golf cart in the amount not less than that required by N.D.C.C. § 39-16.1-11, which provisions govern the level of liability coverage and all subsequent amendments thereto.

9.11A06 Unattended Golf Carts

No person shall leave or allow any golf cart owned or operated by such person to be or remain unattended while the motor is running or with the starting key left in the ignition.

9.11A07 Operation on Private Property

It shall be unlawful for any person to operate a golf cart, or to permit the operation of a golf cart owned by such person, on private property of another without the express permission to do so by the owner or occupant of said property.

9.11A08 Operation on Public Property Other than Highways, Streets and Alleys

It shall be unlawful for any person to operate a golf cart, or to permit any person to operate a golf cart owned by such person, on public school grounds, park property, playgrounds, or recreational areas.

9.11A09 Manner of Operation

It shall be unlawful for any person to operate a golf cart in a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

9.11A10 Operation on Sidewalks and Boulevards Prohibited

No person shall operate a golf cart on or within any sidewalk, pedestrian way, bike path, walking path, shared use path, boulevard or grass areas except on a permanent driveway which is directly abutting the owner's residence, or for the purpose of legally crossing a street, avenue, or roadway where specifically authorized under this article, or as otherwise specifically authorized by this chapter a golf cart upon a street, avenue, or roadway, such operation shall be

at the extreme right side of the street, avenue or roadway, and as near to the curb or shoulder thereof as practicable under the circumstances but in all cases on the pavement or concrete, except if on a graveled alley or when making left turns.

9.11A11 Operation on Street

When operating a golf cart upon a street, avenue, or roadway, such operation shall be at the extreme right side of the street, avenue or roadway, and as near to the curb or shoulder thereof as practicable under the circumstances but in all cases on the pavement or concrete, except if on a graveled alley or when making left turns.

9.11A12 Pedestrians Have Right-of-Way

The operator of a golf cart shall yield to pedestrians whether or not a cross-walk is at the point the pedestrian is crossing or about to cross the street, avenue, roadway, or alley.

9.11A13 Operation in Group

When two (2) or more golf carts are operated together as a group, they shall stay in single file while operating upon any street, avenue, or roadway and not more than three (3) golf carts shall proceed in any single group.

9.11A14 Parental Responsibility

It shall be unlawful for a parent having legal custody of a juvenile to knowingly allow or permit, or by insufficient control to allow or permit, the juvenile under the age of sixteen (16) years or who has attained the age of sixteen (16) years or older but who has not obtained a valid driver's license to operate a golf cart as defined herein in the City limits. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning any golf cart owned or in the possession of members of the parents' family and its custody and control. This requirement is intended to hold and collect for a careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities, conduct or whereabouts of such juvenile and/or golf cart.

Dated this 8 day of July, 2025.

CITY OF WALHALLA

By: John Rock McDonald Mayor
John Rock McDonald, Mayor

ATTESTED TO:

By: Michael Cook
Michael Cook, City Auditor

First Reading: June 02, 2025

Second Reading and Passage: July 07, 2025

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