

ORDINANCE NO. 1701

**ORDINANCE AUTHORIZING THE OPERATION
OF GOLF CARTS AND UTILITY VEHICLES
BY RADFORD UNIVERSITY DESIGNEES
ON DESIGNATED PUBLIC HIGHWAYS
IN THE CITY OF RADFORD, VIRGINIA**

WHEREAS, Section 46.2-916.2 (B) of the Code of Virginia, 1950, as amended, provides that the City of Radford may, by ordinance, authorize the operation of golf carts and utility vehicles on designated public highways within its boundaries; and,

WHEREAS, the City has considered the speed, volume, and character of motor vehicle traffic using the public highways or those portions thereof identified on the map entitled, "Designated Highways for Golf Cart and Utility Vehicle Use by Radford University Designees, April 4, 2018," a copy of which is maintained for public inspection at the Office of the City Engineer and incorporated herein by reference (hereinafter, collectively, the "Designated Highways"); and,

WHEREAS, upon considering the speed, volume, and character of motor vehicle traffic, the City has determined that operation of golf carts and utility vehicles on the Designated Highways by designees of Radford University who are acting in the course of their assigned duties is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in Section 33.2-354 of the Code of Virginia, 1950, as amended; and,

WHEREAS, authorizing the operation of golf carts and utility vehicles on the Designated Highways will not impede the safe and efficient flow of motor vehicle traffic and is otherwise appropriate, subject to the limitations and obligations contained herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RADFORD:

That the Code of Ordinances of the City of Radford, Virginia, shall be amended to include a new ordinance entitled, "Ordinance Authorizing the Operation of Golf Carts and Utility Vehicles by Radford University Designees on Designated Public Highways in the City of Radford, Virginia," as follows:

A. Definitions:

1. *Golf cart* for the purposes of this ordinance means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

2. *Utility vehicle* for the purposes of this ordinance means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include riding lawn mowers.

B. Prohibited Uses:

No golf cart or utility vehicle may be operated in the City on any public highway or any portion of any public highway, except as specifically authorized and designated by this ordinance or any duly adopted amendment thereto.

C. Authorized Uses:

The operation of golf carts and utility vehicles is authorized on the Designated Highways, subject to the following limitations and obligations:

1. Golf carts and utility vehicles may only be operated on the Designated Highways. The Designated Highways include those public highways and portions thereof identified on the map entitled, "Designated Highways for Golf Cart and Utility Vehicle Use by Radford University Designees, April 4, 2018," a copy of which is maintained for public inspection at the Office of the City Engineer and incorporated herein by reference. Any operation of golf carts and utility vehicles outside of the Designated Highways shall be unlawful.
2. Golf carts and utility vehicles may only be operated by designees of Radford University who are acting in the course of their assigned duties.
3. No person shall operate any golf cart or utility vehicle on the Designated Highways, unless he has a valid driver's license in his possession.
4. Every golf cart or utility vehicle, whenever operated on the Designated Highways, shall display a slow-moving vehicle emblem in conformity with Section 46.2-1081 of the Code of Virginia, 1950, as amended.
5. Golf carts and utility vehicles shall be operated on the Designated Highways only between sunrise and sunset, unless equipped with such lights as are required in Article 3 (§ 46.2-1010 et seq.) Chapter 10 of the Code of Virginia, 1950, as amended, for different classes of vehicles.
6. Golf carts and utility vehicles operating on the Designated Highways shall be covered by an insurance policy or equivalent governmental plan of liability coverage. Such policy shall meet the minimum liability amounts contained in Section 46.2-472 of Code of Virginia, 1950, as amended, and provide coverage during the operation of the golf cart or utility vehicle on the Designated Highways. Proof of such insurance shall be maintained in such golf cart or utility vehicle at all

times that such golf cart or utility vehicle is in operation on the Designated Highways.

7. Operators and passengers of any golf cart or utility vehicle operated on the Designated Highways shall comply with all applicable state and local laws and regulations pertaining to the consumption and possession of alcoholic beverages and illegal drugs or other illegal substances.
8. Golf carts and utility vehicles operated on the Designated Highways shall be operated in conformity with all applicable state and local laws and ordinances.
9. No person shall operate any golf cart or utility vehicle on the Designated Highways unless signs have been installed and maintained which alert motorists and pedestrians that golf carts and utility vehicles may be in operation. If such signs are not in place, it shall be unlawful to operate golf carts or utility vehicles on the Designated Highways until the signs are installed, repaired, or replaced. Pursuant to Virginia Code Section 46.2-916.2(E), as the requesting entity, Radford University has agreed to install and maintain all signs on the Designated Highways. All signs must be approved in advance by the City.

D. Penalties:

Any person who violates any provision of this ordinance shall be guilty of a traffic infraction punishable by a fine of not more than \$250.00.

This Ordinance was duly considered after a duly advertised public hearing held on April 9, 2018 and at meetings of the Radford City Council, and was thereafter adopted by the City Council of the City of Radford, Virginia, at a regular meeting of the City Council held on April 9, 2018

The City Council, by the affirmative votes of four of its members, finds that this ordinance constitutes an emergency measure because of upcoming graduation events at Radford University in May 2018 which require the operation of golf carts and utility vehicles for maintenance and transportation services in preparation for and during these events. Therefore, this ordinance shall become effective immediately upon the date of its adoption pursuant to Section 2.14 of the Charter of the City of Radford, Virginia. The vote of the members was taken on the date of First Reading on passage of this ordinance as an emergency measure and was as follows:

Emergency Measure

The City Council voted in the following manner:

First Reading:

Motion: Mr. Gropman
Second: Dr. Harshberger

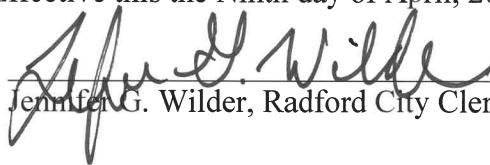
Recorded Vote: Mr. Gropman: Yes
Dr. Harshberger: Yes
Mr. Marshall: Yes
Mr. Turk: Yes
Mayor Brown: Yes



Second Reading: Waived.

Adopted and Effective this the Ninth day of April, 2018.

Attest:


Jennifer G. Wilder, Radford City Clerk