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STATE OF WISCONSIN : VILLAGE OF PEWAUKEE : WAUKESHA COUNTY

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**ORDINANCE NO. 2025-01**

**ORDINANCE TO CREATE CHAPTER 86 – ARTICLE X OF THE MUNICIPAL CODE OF THE VILLAGE OF PEWAUKEE REGARDING THE OPERATION AND USE OF GOLF CARTS ON PUBLIC STREETS**

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WHEREAS Wis Stats §349.18(1m)(a) allows for a municipality to adopt an ordinance allowing the operation of golf cars on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the municipality, and;

WHEREAS WI Stats §349.18(1m)(d) allows for an ordinance under §349.18(1m)(a) to include a definition of the term “golf cart”;

NOW THEREFORE the Village Board of the Village of Pewaukee does ordain as follows:

**SECTION I**

Chapter 86 – Article X (Use and Operation of Golf Carts on Public Streets) of the Municipal Code of the Village of Pewaukee is hereby created as follows:

Section 86.148: Definitions

- a) The term “golf cart” as used in this Article means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course. Said “golf cart” may feature modification to allow extra seating in the area originally designed to carry equipment to play the game of golf. State law reference: § 23.33(1)(fm), Wis. Stats.
- b) The term “Public Street” as used in this Article means a public street or highway located within the municipal boundaries of the Village of Pewaukee

Section 86.149: Operation and Use of Golf Carts on Public Streets

The operation of golf carts on public streets is authorized subject to all of the following:

- a) No person shall operate a golf cart across any state trunk highway or connecting highway.
- b) No person shall operate a golf cart on any public street whose designated speed limit is greater than 25 miles per hour.
- c) No person shall operate a golf cart at a speed in excess of 20 miles per hour.
- d) No person less than 16 years of age shall operate a golf cart upon a public street.
- e) No person shall operate a golf cart upon a public street without a current, valid regular or probationary driver's license issued for the operation of a motor vehicle. For purposes of this section, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporary or otherwise, or suspended for any reason, be

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- considered as a valid driver's license during the period of suspension or revocation.
- f) No person shall operate a golf cart on a public street except in conformity with federal, state and local laws regulating the operation of motor vehicles on public streets and highways, including Ch. 346, Wis. Stats., as it relates to traffic regulations, which are adopted by reference in their entirety. All ordinances regarding the use of motor vehicles in the Village of Pewaukee not inconsistent therewith shall be observed.
  - g) All golf carts operating subject to this Article shall be equipped with adequate functioning brakes, headlamps and taillamps, reliable and accurate steering apparatus, safe and proper tires, rearview mirror, slow moving vehicle sign required by Wis. Stat. 347.245(1), proper Village registration and visible registration sticker at all times while operated on designated public streets.
  - h) No person shall operate a golf cart upon any sidewalk, pedestrian way, recreational trail, or public park in the Village, except as specifically authorized for the purpose of legally crossing the street, or to obtain immediate access to an authorized area of operation.
  - i) No person shall allow a golf cart in the person's custody from standing or remaining unattended on any public street or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the golf cart is locked and the key for that lock is removed from the golf cart.
  - j) No person shall operate a golf cart upon a public street unless first registered with the Village as provided for in this Article.

#### Section 86.150: Registration

- a) All golf carts operated on designated public streets shall be first registered with the Village Clerk, after application on a form provided by the Village and payment of a registration fee of \$50.00 initially and \$30.00 renewal annually. Any person applying for registration under this section shall, prior to such registration being issued by the Village Clerk, provide proof of valid liability insurance at the minimum levels required by Wisconsin law for the operation of motor vehicles, with such insurance covering the operation of the golf cart on public streets by the applicant and any other authorized operators, and with such insurance coverage being active for the entirety of the applicable registration period. Such proof shall also be offered annually at the time of renewal prior to such renewal being issued by the Village Clerk.
- b) No person shall operate a golf cart on a public street which is not currently registered with the Village as required by this Section
- c) The registration issued shall include a sticker or other readily affixable material, and such registration sticker must be affixed to the rear of the golf cart where it is readily visible.
- d) A copy of this Article shall be provided to every registrant.

#### Section 86.151: Disclaimer

- a) Disclaimer. Golf carts are not designed for nor manufactured to be used on public streets, and the Village of Pewaukee neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads or highways. The registration process provided by this ordinance shall in no way be construed as a certification or determination by the Village as to the road worthiness of any golf cart so registered. The Village in no way shall be liable for accidents, injuries or death involving the operation of a golf cart within the Village limits.
- b) Assumption of risk. Any person who owns, operates or rides upon a golf cart on a public street, road, or highway within the Village of Pewaukee limits does so at their own risk and

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peril and assumes all liability resulting from the operation of the golf cart.

Section 86.152: Violations and Penalties

- a) Violations of this Article shall be subject to the provisions contained in Chapter 86 – Article II of the Municipal Code of the Village of Pewaukee.
- b) Penalty. Violators of this Article shall be subject to the following:
  - i. A forfeiture not less than \$50.00 nor more than \$250.00 and/or
  - ii. Possible revocation of Village registration to operate a golf cart on designated public streets after notice to the registrant and hearing by the Village Board.

**SECTION II**

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed;

**SECTION III**

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

**SECTION IV**

This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

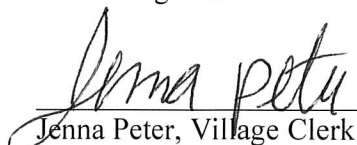
Passed and adopted this 18th day of March, 2025 by the Village Board of the Village of Pewaukee.

APPROVED:



Jeff Knutson, Village President

Countersigned:



Jenna Peter, Village Clerk

