

ORDINANCE RECORD

REDFIELD DIRECT E2401275KV

ORDINANCE NO. 1552

AN ORDINANCE TO AMEND SECTION 70.001 AND TO ENACT SECTION 70.005 OF THE LA VISTA MUNICIPAL CODE TO PROVIDE FOR THE OPERATION OF GOLF CARS ON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF LA VISTA, TO REPEAL CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, AND TO PROVIDE FOR SEVERABILITY, PUBLICATION AND THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

Section 1. Amendment of Section 70.001. Section 70.001 of the La Vista Municipal Code is hereby amended to read as follows:

“§ 70.001 DEFINITIONS.

Except as otherwise herein defined, the words and phrases used in this title, pertaining to motor vehicles and traffic regulations, shall be construed as defined in Neb. RS Chapter 60, Article 6, as now existing or hereafter amended. If not defined in the designated statutes, the word or phrase shall have its common meaning.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Volunteer Fire Department, vehicles of firefighters responding to an emergency when properly identified, police vehicles and such ambulances or other emergency vehicles as are designated or authorized by the City Council and such publicly owned military vehicles of the National Guard as are designated by the Adjutant General pursuant to Neb. RS 55-133.

DRIVER. Every person who drives or is in the actual physical control of a vehicle.

GOLF CAR. A vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes, but is not being operated within the boundaries of a golf course; except as otherwise provided in Neb RS 60-622.01, as amended from time to time.

INTERSECTION or STREET INTERSECTION. The space occupied by two streets at the point where they cross each other, bounded by the lot lines extended and shall include the sidewalk space as well as the roadway.

LOADING ZONE. A place designated by the City Council as a place for the loading and unloading of freight, materials or merchandise and suitably marked so as to indicate its use for such purpose.

MUFFLER. A device consisting of a series of chamber or baffle plates, or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine, and effective in reducing noise.

OFFICIAL TRAFFIC SIGNS OR DEVICES. All signs, markings and devices, other than mechanical or electrical signals, not inconsistent with this chapter, placed or erected by authority of the City Council for the purpose of directing, warning or regulating traffic.

PASSENGER ZONE. A place designated by the City Council as a place for the loading and unloading of passengers and suitably marked so as to indicate its use for such purpose.

POLICE OFFICER or TRAFFIC OFFICER. Every officer of the Police Department of the city or any officer authorized to direct or regulate traffic or make arrests for the violation

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of traffic regulation.

SIDEWALK. That portion of a street between the curb lines and the adjacent property lines intended for pedestrian use.

STREET. The entire width between the boundary limits of any street, avenue or way which is publicly maintained and open for public vehicular traffic.

TRAFFIC. Pedestrians, ridden animals and vehicles or other conveyances, either singly or together, while using any street, alley or public way for purposes of travel.

VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively on stationary rails or tracks.

(Neb. RS 60-606 through 60-676) ('79 Code, § 5-101) (Am. Ord. 608, passed 1-17-95; Am. Ord. 1091, passed 4-7-09)"

Section 2. Addition of Section 70.005. Section 70.005 of the La Vista Municipal Code is hereby introduced to read as follows:

"§ 70.005 GOLF CARS. The following rules and regulations shall apply to the operation of golf cars within the City, pursuant to authority granted by applicable Nebraska Statutes, as amended from time to time, including without limitation Neb RS 60-6,381(2):

A. *Operation of golf cars.* The operation of golf cars within the corporate limits shall be permitted only in accordance with the provisions contained herein:

1. Golf car operators shall obey, and the operation of golf cars shall be subject to, all applicable laws, rules and regulations, as enacted or amended from time to time, including without limitation all traffic laws and regulations governing the movement of vehicles on a public street, all provisions of Sections 60-601 through 60-6,383 of the Nebraska Revised Statutes, Rules of the Road, and Title VII of the La Vista Municipal Code, Traffic Code.
2. Golf cars shall operate only on streets within the City, on the furthest right-hand lane of traffic, shall yield the right-of-way to other vehicles, and shall drive in single file.
3. Golf cars shall not be operated on any sidewalk, trail, bike lane, or any right-of-way that is not a street; and shall not be parked on any street, sidewalk, trail, or bike lane.
4. Operation of golf cars is permitted only on streets with a speed limit of twenty-five miles per hour or less. Except as provided in subsection (5), golf cars shall not be operated on:
 - i. Any state or federal highway;
 - ii. The following streets:
 1. S. 66th Street
 2. S. 72nd Street
 3. S. 84th Street
 4. S. 96th Street
 5. S. 108th Street
 6. Giles Road
 7. Harrison Street
 - iii. Any street located within or bordering the following commercial and industrial subdivisions:
 1. Southport East, generally bounded by Giles Road, Interstate 80, Harrison Street, and Eastport Parkway;
 2. Southport West, generally bounded by West Giles Road, Giles Road, and Interstate 80;

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3. Harrison Hills, generally bounded by Harrison Street, 118th Street, and Hell Creek;
 4. Brook Valley Business Park, generally bounded by Hell Creek, Harrison Street, S. 108th Street, and the BNSF Railway;
 5. Brook Valley Corporate Park and Brook Valley Business Park, generally bound by the BNSF Railway, S. 108th Street, Giles Road, and the West Papillion Creek;
 6. Oakdale Park and Rotellas Industrial Parks, generally bound by Harrison Street, S. 108th Street, Chandler Road, and S. 104th Street;
 7. Brook Valley II Business Park, generally bound by S. 114th Street, Giles Road, S. 120th Street, and the Papillion/La Vista jurisdictional boundary line;
 8. Papio Valley Business Parks and Sarpy County Industrial Park, generally bound by Giles Road, West Giles Road, S. 126th Street, the Papillion/La Vista jurisdictional boundary line, and S. 120th Street;
5. The operator of a golf car may cross over a state or federal highway or other prohibited street only under the following conditions:
 - i. The crossing shall be made only at a designated, signalized intersection with an angle of approximately ninety degrees to the highway or prohibited street;
 - ii. The crossing shall be made only after the golf car is brought to a complete stop; and
 - iii. The golf car has yielded the right-of-way to all oncoming traffic that constitutes an immediate potential hazard.
 6. Golf cars shall be operated at a speed not to exceed twenty miles per hour or the posted speed limit, whichever is less.
 7. Operation of golf cars shall be permitted only between sunrise and sunset between the dates April 1 and October 15th.
 8. Operators of golf cars must be 21 years of age or older.
 9. The maximum number of occupants in a golf car shall not exceed four people or the number of factory-designed seats installed in the golf car, whichever is less. All occupants shall remain seated within the vehicle with seat belts fastened at all times while the golf car is in motion.
 10. No child under the age of 8 years shall be a passenger on a golf car unless the vehicle is equipped with, and the child is restrained by, a child passenger restraint system of a type which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Traffic Safety Administration.
- B. *Safety Equipment.* All golf cars operated within the City of La Vista shall be equipped with the following safety equipment:
1. A bicycle safety flag with an area not less than 30 square inches, attached to the rear of the golf car vehicle and standing a minimum of five feet above ground level.
 2. A working/operational seat belt for each passenger on the vehicle.
 3. A muffler if golf car is powered by a gasoline engine.
 4. Working/operational head lights, tail lights, brake lights, and turn signaling lights.
 5. A rearview and/or sideview mirror.
- C. *License.* Any person operating a golf car as authorized herein shall have a valid Class O operator's license and shall provide proof of said license immediately upon request of a peace officer.

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D. *Insurance.* Any owner of a golf car being operated as authorized herein shall have liability insurance coverage for the golf car vehicle. The liability insurance coverage shall be subject to the minimum limits, exclusive of interest and costs, as follows:

1. Twenty-five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to such limit for one person,
2. Fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and
3. Twenty-five thousand dollars because of injury to or destruction of property of others in any one accident.

Any individual operating a golf car shall provide proof of insurance immediately upon request of a peace officer.

E. *Registration & Inspection.* Registration with the City of La Vista is required before a golf car may be operated on any public roadway within the City limits.

1. A registration application shall be submitted annually to the City of La Vista City Clerk, and shall require the following:
 - i. The completed application;
 - ii. The annual registration fee as found in the Master Fee Ordinance;
 - iii. A copy of the owner's valid Class O operator's license;
 - iv. Proof of insurance as required by this Chapter specifically listing the vehicle, referenced by year, make, model and serial number.
 - v. A completed inspection checklist approved by the La Vista Police Department.
2. To obtain the completed inspection checklist, the applicant shall make an appointment and transport their golf car to the La Vista Police Department for an inspection to verify that the golf car is properly equipped with the required safety equipment noted in subsection (B).
3. Upon receipt of the application and necessary documentation, the City Clerk shall issue a City of La Vista registration to the owner of the golf car vehicle, and shall supply a current year validation decal to be affixed to the golf car plate. This proof of registration shall be prominently displayed on the golf car vehicle at all times. A golf car plate shall be issued by the City Clerk during the first year that a golf car is registered.
4. Registrations shall be valid from January 1 through December 31, subject to operation of the golf car in accordance with all applicable laws, rules and regulations. Registration fees are not prorated and are non-refundable and non-transferable.

F. *Penalty for violation.* Any person convicted of violating any provision of this Section 70.005 shall be punished by a fine of \$500.00 for a first offense. A subsequent violation of any provision of this article shall be punished by a fine of \$500.00. In addition to any penalties for violation hereof, the police division may revoke the registration of or impound any golf car vehicle when operated in violation of any applicable law, including Nebraska Statutes or this Code.

Section 3. Repeal. Section 70.001 and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof are hereby repealed.

Section 4. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 5 Publication and Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in book, pamphlet or electronic form or as otherwise provided by law.

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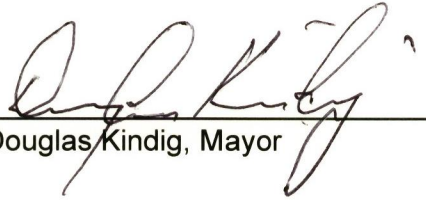
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PASSED AND APPROVED THIS 15TH DAY OF JULY 2025.



Attest:

CITY OF LA VISTA,


Douglas Kindig, Mayor


Rachel D. Carl, CMC
City Clerk