

ORDINANCE NO. 2018- 5

AN ORDINANCE OF THE CITY OF OKEMAH, OKLAHOMA, AMENDING TITLE 6 OF THE CODE OF THE CITY OF OKEMAH, OKLAHOMA, MOTOR VEHICLES AND TRAFFIC, BY ADDING A NEW CHAPTER 10 ENTITLED GOLF CARTS AND ALL TERRAIN VEHICLES; ESTABLISHING LICENSING AND REGULATIONS; AND **DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKEMAH, OKLAHOMA:

SECTION 1. GOLF CARTS AND ALL TERRAIN VEHICLES:

The Okemah City Code of Ordinances is hereby amended by adding a new Chapter 10 to Title 6, Motor Vehicles and Traffic, to read as follows:

"SECTION:

- 6-10-1: Licensing
- 6-10-2: Regulations
- 6-10-1: Licensing:

A. The operation, of golf carts and all-terrain vehicles on local streets of the City of Okemah shall be allowed only after a permit for use of golf cart or all terrain vehicle has been obtained from the City Clerk. The permit fee shall be \$25.00 per year. The term of the permit shall be from January 1 to December 31 of each year.

B. The issuance of the permit is subject to the following requirements:

1. The applying party must execute an indemnification agreement whereby the applying party will be bound to indemnify the City of Okemah from any damages suffered by the applying party and any third party for personal injuries or injuries or damage to property resulting from a golf cart and/or all-terrain vehicle.
2. Each vehicle requires a separate permit.
3. The applying party shall not operate a golf cart or all-terrain vehicle on any property leased by third parties.

4. The vehicles shall be inspected for safety by a police officer.
5. Current and valid insurance must be submitted with permit application.
- 6: The permit shall be displayed on the golf cart or all-terrain vehicle in an open and conspicuous manner.

6-10-2: Regulations:

- A. Golf carts and all-terrain vehicles may be operated, with a permit, on the city streets of the City of Okemah during daylight hours only.
- B. Golf carts and all-terrain vehicles may not be operated on state highways within the City of Okemah except for the purpose of making a perpendicular crossing of a state highway within the boundaries of the City of Okemah.
- C. The operation of golf carts and all-terrain vehicles within the corporate limits of the City of Okemah is prohibited for persons under 16 years of age.
- D. Each golf cart or all-terrain vehicle and driver must have at least a combined height of at least four (4) feet. Any vehicle and driver less than four (4) feet must have a seven (7) foot safety pole with an orange topper so they can be easily seen."

SECTION 2: REPEALER:

All former ordinances or parts of ordinances conflicting or inconsistent with all provisions of this Ordinance are hereby repealed.

SECTION 3: SEVERABILITY:

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: EMERGENCY CLAUSE:

It being immediately necessary for the preservation of the public health, peace and safety of the City of Okemah and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed this 11th day of October, 2018.

THE CITY OF OKEMAH, OKLAHOMA

MIKE FULLER, MAYOR _____

ATTEST:

RELENA HADDOX, CITY CLERK _____

(S E A L)