

**CITY OF NORTH BONNEVILLE
ORDINANCE NO. 968**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE AMENDING
NORTH BONNEVILLE MUNICIPAL CODE CHAPTER 12.12 PATHWAYS –
MOTORIZED VEHICLES BY AMENDING SECTIONS 12.12.030, 12.12.040
AND 12.12.050.**

WHEREAS, the City of North Bonneville, after careful consideration and study, has determined that all exempted vehicles on pathways should have maximum speed limits, and

WHEREAS, pedestrians, non-motorized vehicles as defined in Section 12.12.010, and motorized wheelchairs should have the right-of-way over these vehicles, and

NOW, THEREFORE, the City Council of the City of North Bonneville does hereby ordain as follows:

Section 1. NBMC Section 12.12.030 Exemptions

Shall be amended as follows:

Self-balancing personal transportation devices with two wheels, motorized wheelchairs, golf carts with approved permits, children toys, riding lawnmowers (without blades engaged), emergency vehicles in case of emergency and city maintenance vehicles for maintaining city property shall be exempt from the provisions of Section 12.12.020. They shall be subject to a maximum speed limit of ten (10) miles per hour and shall be prohibited from operation between sunset and sunrise. Pedestrians, non-motorized vehicles as defined in Section 12.12.010, and motorized wheelchairs shall have the right-of-way over these vehicles.

Section 2. NBMC 12.12.040 Golf cart permits

Shall be amended as follows:

Golf carts shall be subject to an annual permit fee of ~~ten~~ twenty dollars must be inspected and approved by ~~the Chief of Police~~ a representative authorized by the city. ~~and shall be subject to a maximum speed limit of ten (10) miles per hour.~~ Proof of liability insurance must be presented at the time of inspection and be in the operator's possession when operating on city property or property open to the public. Golf carts are only authorized to cross a city street to get to another public pedestrian pathway. They shall not travel over 100 feet in either direction on a city street, except for the Hamilton Creek Bridge on Cascade Drive where crossing will be allowed. ~~Pedestrians, non-motorized vehicles as defined in Section 12.12.010, and motorized wheelchairs shall have the right-of-way over golf carts. Golf carts shall be prohibited from operation between sunset and sunrise.~~ Minimum age to operate a golf cart shall be sixteen (16) years.

Section 3. NBMC 12.12.050 Penalties

Shall be amended as follows:

~~Any person found operating a motorized vehicle on a public pedestrian pathway within the corporate limits of the City of North Bonneville and who is found to be in violation of this Chapter shall be subject to a fine not to exceed one hundred (\$100.00) dollars plus damages for each violation.~~

Violations of this chapter are a civil infraction and shall be subject to the provisions in the North Bonneville Municipal Code Section 7.01.020(B)*.

However, violations which constitute criminal traffic offenses may be charged as such and are subject to the maximum penalties allowed for such offenses.

Section 4. Severability.

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Effective Date and Publication.

This ordinance shall become effective five days after its passage by the City Council, approval by the Mayor, and publication as provided by law.

PASSED BY THE CITY COUNCIL ON _____, 2010.

Don Stevens, Mayor

ATTEST:

John Spencer, City Clerk

APPROVED AS TO FORM:

Teunis J. Wyers, City Attorney

Published:
Effective Date: