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Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

Agenda

New Castle Town Council Work Session

Tuesday, March 07, 2023, 6:15 PM

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet click [HERE](#)

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your

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The Council Packet is available [HERE](#)

a.

Discussion: Possible Use of Golf Carts Within Lakota Subdivision



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Memorandum

To: Mayor & Council
From: David Reynolds
Re: Council Workshop – Golf Cart Discussion
Date: 03/07/2023

Purpose:

The purpose of this workshop is to discuss the possibility of allowing *Privately Owned Golf Carts* to operate on public streets within the Lakota Ranch neighborhood.

Council may recall that in 2019 the idea of allowing *Low Speed Electric Vehicles* (golf carts) and *Off-Highway Vehicles* (OHV's) was discussed and studied during various Council meetings and a Public Open House. During these discussions Town Council considered items such as how to define OHV's and Golf Carts, what type of safety equipment might be required, which streets might be considered permitted routes and which streets might be considered off limits, how would OHV's and Golf Carts be registered with the town, who can operate OHV's and Golf Carts on Town streets, and how would regulations be enforced. After much discussion and the consideration of substantial public input, Town Council decided that as a town wide program the perceived benefits of such a program were not substantial enough to move this concept forward.

Following the conclusion of the discussions in 2019, a small group of residents have asked what it might look like if a much more limited approach to this concept allowed for the operation of Golf Carts on public streets within the Lakota neighborhood only. Former Town Council Member Scott Owens has been gathered feedback from the Lakota neighborhood and wishes to present his thoughts and findings during this discussion.

For reference, please see the attached sample ordinance that was developed in 2019, as well as a sample ordinance that might help steer a Lakota specific discussion.

SAMPLE DRAFT ORDINANCE FOR DISCUSSION PURPOSES ONLY

TOWN OF NEW CASTLE, COLORADO ORDINANCE NO. TC -

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL PERMITTING THE USE OF GOLF CARTS ON TOWN STREETS DESIGNATED AS PART OF THE LAKOTA HOME OWNERS ASSOCIATION

WHEREAS, the use of golf carts, has increased both within and outside the Town of New Castle (“Town”); and

WHEREAS, pursuant to C.R.S. § 42-4-111(1)(aa) and (bb), the Town may authorize and regulate the use of golf carts on streets designated within the Lakota Residential Areas and

WHEREAS, pursuant to C.R.S. §§ 33-14.5-108(1) and 110(1), the Town may designate and establish golf cart routes, and

WHEREAS, allowing the use of golf carts on Lakota streets will encourage and increase economic activity within Lakota; and

WHEREAS, subjecting the use of golf carts to the Town’s traffic laws is necessary to promote the safe and orderly operation of the same; and

WHEREAS, the Council desires to allow the use of golf carts within the Lakota Residential Area and to designate and establish a designated golf cart route.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the Town Council.
2. Approval of Use. Subject to the terms, conditions, and limitations set forth in this Ordinance, including Section 4, the Town Council hereby authorizes the use of golf carts on Lakota Streets.
3. Route. By this Ordinance, the Town Council hereby designates a golf cart route within Lakota. Said route shall include any road, street, alley, avenue, thoroughfare, public way, or other public right-of-way within Lakota, excluding all other Town of New Castle Streets. A golf cart may be operated to directly cross roadways excluded from the route established in this Ordinance at an at-grade crossing in order to continue traveling along a roadway within the route.

4. Amendment. Chapter 10.12 of the Town Municipal Code is hereby amended by adding the following subsection to that chapter:

10.12.030 Golf Carts,

A. **Definitions.**

1. “Golf Cart” means a powered vehicle that is capable of traveling not more than twenty (20) miles per hour and that is equipped with, at a minimum, the following equipment:
 - i. Front headlamps;
 - ii. Front and rear turn signal lamps;
 - iii. Rear tail-lamps and stop lamps;
 - iv. A rearview mirror or mirrors;
 - v. A parking brake;
 - vi. A front windshield;
 - vii. Two (2) rear reflectors as either part of the taillamps or separately; and
 - viii. A slow moving vehicle sign, as provided for by state law, shall be attached on the rear of the golf cart, and shall be visible in daylight and at night from all distances between six hundred feet (600') and one hundred feet (100') from the rear when directly in upper beam of headlamps.
2. As used in this Section 10.12.030, “Permitted Route” means and shall include any road, street, alley, avenue, thoroughfare, public way, or other public right-of-way within the Lakota.

B. **Golf Cart Use Permitted:** any person 16 years of age or older is permitted to operate a Golf Cart on, within, and throughout the Permitted Route, provided that:

1. With respect to golf carts, the operator has in his or her possession a valid motor vehicle driver’s license or operator’s license;
2. The golf cart has been registered and numbered in accordance with Article 14.5 of Title 33 of the Colorado Revised Statutes;
- ~~3. With respect to Golf Carts, any unlicensed driver shall not carry a passenger who is under twenty-one years of age;~~
4. The number of persons allowed to travel in a Golf Cart shall be limited to the number of seats in the Golf Cart, in accordance with the design thereof, but in no event shall there be more than four (4) persons.

5. The operator of a Golf Cart shall use a child restraint system in accordance with state law if the Golf Cart was designed by the manufacturer to be used with a child restraint system;
6. The operator of the Golf Cart has, in full force and effect, an insurance policy covering the Golf Cart that complies with the terms of Title 10, Article 4, Part 6, of the Colorado Revised Statutes.

It shall be unlawful for any person to operate a Golf Cart vehicle on a road, street, alley, avenue, thoroughfare, public way, or other public right-of-way that is not included within the Permitted Route.

C. Crossings. A Golf Cart may be operated to directly cross roadways excluded from the Permitted Route but only at an at-grade crossing in order to continue traveling along a roadway within the Permitted Route.

D. Traffic Regulations. The Town's traffic regulations set forth in Chapter 10.04, including the Model Code, shall apply to the operation of Golf Carts within the Town. It expressly acknowledged that it is unlawful for any person to operate a Golf Cart under the influence of alcohol or one or more drugs, or a combination of both, and that such conduct is subject to C.R.S. § 42-4-1301.

5. Remainder of Code Unaffected. All sections, chapters, and titles of the Code not addressed in this Ordinance shall remain unchanged and in full force and effect.

6. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

INTRODUCED on _____, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on _____, read by title and number, passed with amendment as set forth herein, approved, and ordered published as required by the Charter.

TOWN COUNCIL OF THE TOWN OF
NEW CASTLE, COLORADO