

Heather Hanover  
Chair

James Eshelman  
Vice-Chair

Commissioners  
Scott Dzurka, Mayor  
Eric Hufnagel, City Commission  
Eric Harger  
Mark Holden  
Brian Mills  
Melvin Renfrow  
Wendy Ward



## CITY OF ST. JOHNS PLANNING COMMISSION

MEETING AGENDA  
MEETING DATE: September 13, 2023

---

The St. Johns Planning Commission will hold a regular meeting on September 13, 2023 at 5:30 pm in the County Commission Chambers located at the Clinton County Courthouse, 100 E. State Street, St. Johns, MI. (Please use Cass St. Entrance.)

### AGENDA

1. Call to Order (5:30 pm)
2. Approval of Agenda (5:31 pm – 5:32 pm)
3. Approval of Minutes (August 9, 2023 Meeting) (5:33 pm – 5:34 pm)
4. Public comment for non-agenda items (5:34 pm – 5:35 pm)
5. Public Hearings: None
6. New Business:
  - A. Downtown Parking Minimums (5:36 – 5:45)
  - B. Dogs and Cats Ordinances (5:46 – 5:55)
  - C. Golf Cart Ordinance (5:56 – 6:10)
7. Old Business:
8. Commissioner Comments (6:11– 6:20)
9. Adjournment

Please note that the Planning Commission will take up the following topics at future meetings, depending on available time:

- RV Parking – Potential Zoning Amendment

**Heather Hanover**  
*Chair*

**James Eshelman**  
*Vice-Chair*

**Commissioners**

**Scott Dzurka**, *Mayor*  
**Eric Hufnagel**, *Commissioner*  
**Mark Holden**  
**Melvin Renfrow**  
**Wendy Ward**  
**Eric Harger**  
**Brian Mills**



**CITY OF ST. JOHNS  
PLANNING COMMISSION  
AUGUST 9, 2023  
REGULAR MEETING MINUTES**

**1. CALL TO ORDER**

The meeting of the St. Johns Planning Commission was called to order by Chair Hanover at 5:30 p.m.

Members Present: Heather Hanover, Scott Dzurka, Eric Hufnagel, Mark Holden, Wendy Ward, Melvin Renfrow (arrived at 5:54 p.m.), James Eshelman, Brian Mills

Members Absent: Eric Harger

Staff Present: Chad Gamble, City Manager; Mindy Seavey, City Clerk; Chris Khorey, McKenna

**2. APPROVAL OF AGENDA**

Motion by Commissioner Dzurka seconded by Commissioner Holden to approve the agenda as presented.

YEA: Hanover, Dzurka, Hufnagel, Holden, Ward, Eshelman, Mills

NAY: None

Motion carried.

**3. APPROVAL OF MINUTES – JULY 12, 2023 MEETING**

Motion by Commissioner Holden seconded by Commissioner Dzurka to approve the minutes as presented.

YEA: Hanover, Dzurka, Hufnagel, Holden, Ward, Eshelman, Mills

NAY: None

Motion carried.

**4. PUBLIC COMMENT FOR NON-AGENDA ITEMS**

There were none.

**5. PUBLIC HEARINGS - NONE**

**6. NEW BUSINESS**

A. Chain Link Fences in Front Yards Ordinance

Chris Khorey, McKenna, said this issue has been advocated by at least one resident for the city to take up following denial of a zoning permit. He said he wanted to see if there is any interest in a change. He discussed: the fence can be no higher than 3' and has to be decorative. He said the person said they didn't have anywhere to let their dog out. He discussed both sides of the issue.

There was a discussion of:

- Chain link fences in the front yard deter from attractiveness.
- There is no requirement that a fence be installed when getting a dog license.
- Height of decorative fences is 4' maximum, not 3'.
- Having an ordinance in place that is more restrictive, but can allow for variances.
- The request was in a historic part of the city with a smaller lot.
- Adding a list of things that make a chain link fence decorative.
  - Defining "decorative"
    - Long term maintenance of the decorative part of the fencing and how to enforce.
- Frequency of this type of request.
  - Mr. Khorey said he and Ken have been intaking for 4 months or so, and rejected 2 or 3 front yard chain link fence requests.
- Parking requirements for corner lots.
- Chain link fences on the side yard up to the sidewalk.

Trevor Breen, 205 W. State Street, was present. He said at the very least you could make black vinyl (in a chain link fence) a requirement, that makes it almost vinyl.

Commissioner Renfrow arrived to the meeting at 5:54 p.m.

There was a consensus of opinion of the planning commission to stay where we are with this requirement. If there is a request for a variance, they might want to take a look at it.

Mr. Khorey said residents of the city can petition for zoning changes.

## B. Pets Amendment

Mr. Khorey discussed the survey that was done.

Chairperson Hanover said this refers to animals over 4 months of age.

There was a discussion of:

- The reason for reviewing this.
  - When they worked on the chicken ordinance it became more of a discussion about pets.
- The definition of a kennel.
  - Mr. Khorey said section 155.004; simply 3 or more that are 4 months or older; section 155.437, licensed by county, 300' from next house over, dog runs with concrete surface, submit animal waste disposal plan to city; some cases SUP (special use permit).
- We have the nuisance ordinance in place no matter how many dogs someone has.
- Why change if we are not having any issues.
  - There are no limits on pets in the chicken ordinance so the kennel standard is what is left.
- A limit for the total number of pets.

City Manager Gamble said he talked with Jessica about problems globally in regards to pets. He said the only thing she said has been problematic is cats and feeding of cats that someone doesn't own.

Mr. Breen said the previous owner of the house he owns did bring in stray cats. As far as a kennel, he discussed his dogs and said he doesn't have a cemented run.

There was a discussion of:

- Possibly changing the terminology to a combination of 6 animals.
- Quality of life issues.
- If the maximum is increased to 6, we still have the nuisance language to deal with issues.
- No requirements for space or fencing of animals except for chickens and horses.
- Issues with feral cats.
  - Mr. Khorey discussed section 92 that pertains to animals generally. Also, we have a prohibition of dogs running at large. We could add something for cats running at large, but he doesn't think it is a zoning issue.
  - What is listed under the nuisance ordinance.
  - Having our attorneys look into what other communities have relating to cats.
- Right now, with dogs 3 or more would be a kennel.
  - Mr. Khorey said 3 is very common. Technically, the changes to chapter 92 do not need to come to the planning commission, but that doesn't mean you can't review and make recommendations to the city commission. The section in the chicken ordinance was related to total pets.

Mayor Dzurka said it would be helpful to have this body vet a cat ordinance and make a recommendation to the city commission.

City Manager Gamble said we can do research on what other communities are doing.

Chairperson Hanover said to research similar sized cities.

Motion by Commissioner Ward seconded by Commissioner Mills that the Planning Commission set a public hearing to amend zoning to 3 dogs.

Commissioner Mills asked if we are stirring up a hornets' nest here. With a public hearing, we are going to have to defend ourselves on 3 instead of 4-5.

There was a roll call vote.

YEA: Hanover

YEA: Dzurka

YEA: Hufnagel

YEA: Holden

YEA: Ward

YEA: Renfrow

YEA: Eshelman

YEA: Mills

NAY: None

Motion carried.

There was a discussion of:

- Ducks
  - A lot of cities that allow chickens do not allow ducks.
  - If collecting eggs it falls under livestock; if not, falls under pets. Ducks are a gray area.
  - At the previous public hearing there was no discussion from the public about ducks.
  - Mr. Khorey said it would be up to the zoning administrator of what category they are in. There is a mechanism in place if someone shows up with ducks and we have a problem. He said he doesn't think two ducks is going to cause a problem. He discussed cages and birds.

### C. Planning Commission Member Absence Policy

Chairperson Hanover said we haven't had this on other committees, but they started it on the downtown board.

Mr. Khorey said it is common in other communities for 3 unexcused absences. Usually, the by-laws say unexcused and usually members will vote to excuse the member. He said he thinks that is a common and fair standard. He said included in your packet are your by-laws from 1969. He said he has a concern about article 3 section 5 which says you can have meetings in private. He said that is no longer allowed with OMA (Open Meetings Act). He said there are at least two changes that need to be made to these by-laws. He said other procedural things are not consistent with how the city commission operates.

City Manager Gamble said we can look at sending it over to our attorneys and bring it back for discussion.

There was a discussion of:

- Whether or not the city commission would have to approve the planning commission by-laws.
- Whether the 3 meetings would be consecutive or for the whole year.
  - Mr. Khorey said the most common is three meetings in a calendar year.
  - If there would be any distinction made between the city commission members that are serving on the planning commission.
    - Mr. Khorey said that should be laid out in the by-laws.
  - Excused versus unexcused absences; maybe two unexcused absences.
- The issue of people coming to the planning commission to get things approved and the delay due to a lack of quorum for a meeting.

## **7. OLD BUSINESS**

### A. Election of Vice Chair

Chairperson Hanover said we can't have either of the city commissioners be the chair or vice chair.

Commissioner Renfrow said his only hesitation is that he coaches in the spring and the meets were on Wednesdays sometimes. He said due to that he is going to say no at this time.

There was a discussion of the chair position.

Motion by Commissioner Dzurka seconded by Commissioner Hufnagel that the Planning Commission nominate James Eshelman as Vice Chair of the Planning Commission.

YEA: Hanover, Dzurka, Hufnagel, Holden, Ward, Renfrow, Eshelman, Mills

NAY: None

Motion carried.

## **8. COMMISSIONER COMMENTS**

Commissioner Hufnagel said it was nice to be back on the planning commission and he enjoyed his time on the planning commission in the past. He said it is great to see new faces, this is a great opportunity and he is glad you are committing the time to do it.

Chairperson Hanover said when she was first on the planning commission, they always got the paper packets. She said she printed off this page, but it would be nice to have physical packets here.

Commissioner Hufnagel said he agrees. He said he likes to mark stuff up at the meeting and it is helpful to have both. For years, our big mantra has been sidewalks. We have a lot of empty sidewalk areas in town. He said he went and looked at the house on Sturgis Street and they still need to put sidewalk in.

Mr. Khorey said Ken Skunda is doing the day-to-day zoning permits and he will make sure he is aware of the sidewalk requirement.

## **9. ADJOURNMENT**

Motion by Commissioner Ward seconded by Commissioner Dzurka that the Planning Commission adjourn the meeting.

YEA: Hanover, Dzurka, Hufnagel, Holden, Ward, Renfrow, Eshelman, Mills

NAY: None

Motion carried.

The meeting was adjourned at 7:09 p.m.

DRAFT



# Memorandum

---

**TO:** City of St. Johns Planning Commission  
**FROM:** Christopher Khorey, AICP, Senior Principal Planner  
**SUBJECT:** **Minimum Parking Requirements**  
**DATE:** September 6, 2023

In recent years, St. Johns has experienced more demand for development (particularly residential development) on the edges of its downtown. While this development is considered desirable under the City's Master Plan and Downtown Plan, the approval processes have been hampered by parking concerns. Projects have had to use unwieldy Conditional Rezoning processes, and haggling between the City and developers over the number of parking spaces has been common.

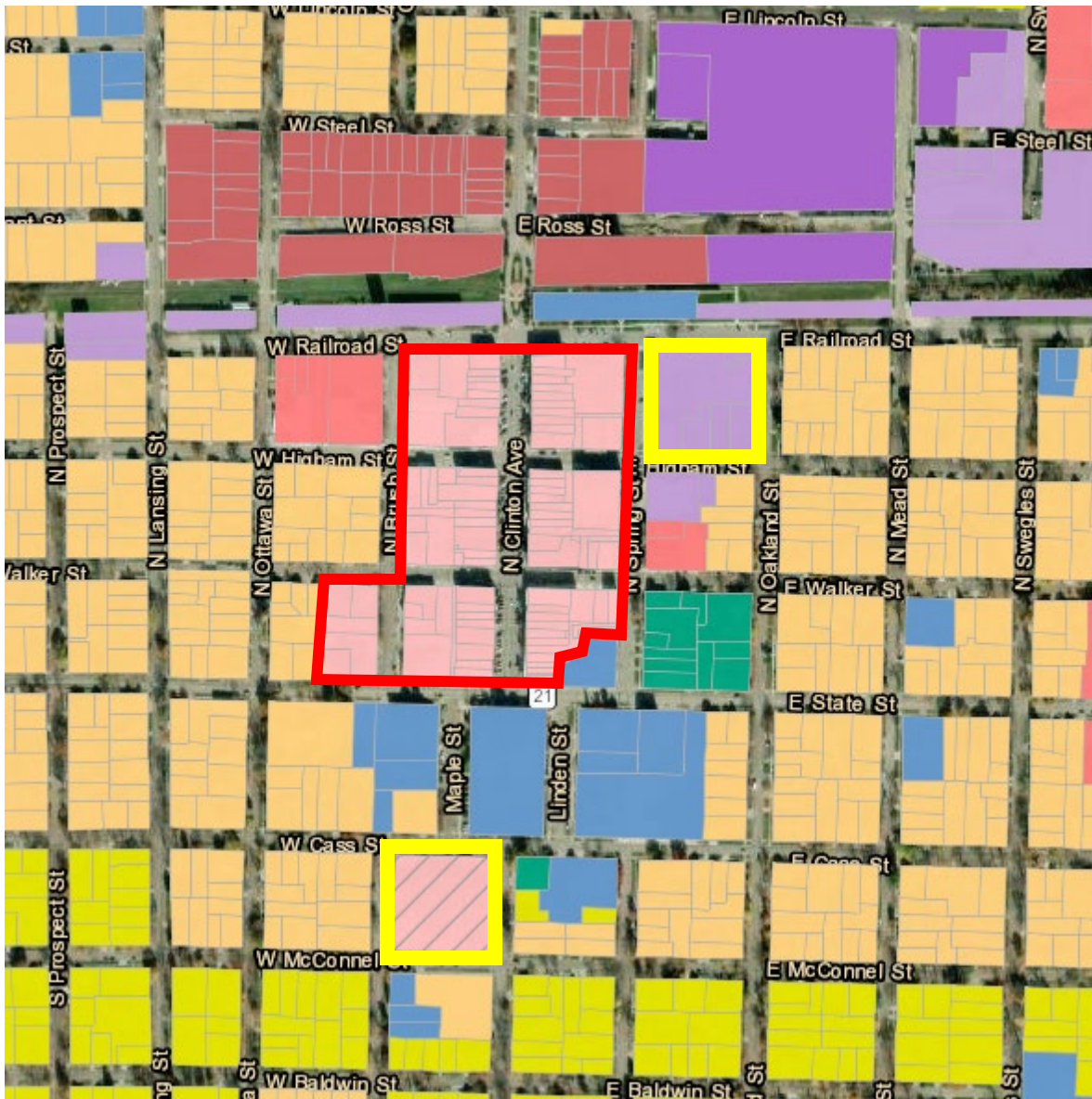
We recommend that the Planning Commission discuss a new system for parking requirements. Below please find an analysis of the current situation, and a starting point for discussion of a new policy.

## **CURRENT PARKING REQUIREMENTS**

Currently, there are two levels of parking requirements in the Zoning Ordinance: the CBD Central Business District Zoning District and Everything Else. The CBD District exempts all uses from minimum parking requirements. All other districts are subject to the parking requirements in Section 155.342 of the Zoning Ordinance. For residential developments, the requirement is two parking spaces per unit.

This creates an "all or nothing" situation, as shown on the map on the following page.





No Parking Requirement



Conditional Rezoning Agreements (Existing or Proposed)





## PROPOSED PARKING REQUIREMENT REVISIONS

Our recommended strategy for parking requirements would have three levels:

- **Parking Exempt Zone:** We recommend that this area be reduced from the current CBD District to encompass just the core downtown shopping district along Clinton Avenue.
- **Parking Reduction Zone:** We recommend that this area allow reductions from the parking requirements in Section 155.342, such as the following:
  - **Residential:** 1.15 spaces per dwelling unit (reduction from 2 spaces per dwelling unit). This is the requirement in the current draft of the Conditional Rezoning Agreement for FC Mason Phase 3.
  - **Non-Residential:** 75% of the requirement in Section 155.342.

The Parking Reduction Zone should also clarify whether the parking requirement can be met via on-street parking. Following are policies for Planning Commission consideration, if the City chooses to allow on-street parking to count:

- On-street parking counts only up to a limit (25% of the requirement?)
  - The design, location, and rules for the parking (i.e. whether overnight is allowed) must be approved by the City.
  - The on-street parking must be newly constructed and paid for by the developer.
- **Full Parking Zone:** This area would include the rest of the City and would be subject to the full requirements of Section 155.342.

A map of potential Parking Exemption and Parking Reduction Zones is included on the next page.



-  Parking Exemption Zone
-  Parking Reduction Zone
-  Conditional Rezoning Agreements (Existing or Proposed)

**§ 155.342 MINIMUM PARKING SPACE REQUIREMENTS.**

(A) The minimum amount of off-street parking space required under §§155.340 and 155.342 shall be determined in accordance with the following table:

(B) Either one space for each two employees shall be required of all applicable uses in this schedule, or the requirements specified below, whichever requires a greater number of spaces.

<b>TABLE 13-2</b>	
<b>Parking Requirements</b>	
<b>Use</b>	<b>Parking Requirements</b>
<b>TABLE 13-2</b>	
<b>Parking Requirements</b>	
<b>Use</b>	<b>Parking Requirements</b>
Dwelling	Two spaces for each residential living unit in any residential living unit in any residential classification.
Housing for the Elderly	One space per unit plus one space per employee. If units revert to general occupancy, the two spaces per unit shall be provided.
Rooming and boarding houses and bed-and-breakfasts	One space per room afforded plus two spaces for the owner or managers.
Motels-hotels	One space per guest bedroom plus one space per employee of largest shift.
Car Washes	One space per employee of the largest shift.
Hospitals nursing homes	One space for each four beds.
Theaters, auditoriums, stadia, sports arenas	One space per four seats.
Churches	One space for each five seats in the main worship unit.
Dances halls, assembly and exhibition halls without fixed seats; community center, civic clubs, private clubs, lodges, and other similar type occupancy	One space per four persons of legal capacity.
Banks, business and professional offices	One space per 200 square feet of floor area.
Medical or dental offices and clinics	One space per 300 square feet of floor area or five spaces per doctor or dentist, whichever is greater.
Mortuaries and funeral homes	One space for every 25 square feet of floor area of chapels and assembly rooms.
Furniture and appliance stores, motor vehicle sales, machinery sales, personal service shops, household equipment or furniture repair shops, clothing and shoe repair or service shops, and hardware stores	One space per 200 square feet of floor area.
Convenience Store	One space per 250 square feet of floor area plus any spaces required for gas pumps.
Supermarket, self-service food stores	One space per 200 square feet of floor area.
All other retail stores	One space per 500 square feet of floor area.
Barbershops and beauty parlors	Two spaces per chair.
Restaurants and cafeterias	One space per four patron seats.
Bowling alleys	Five spaces per lane.

Elementary and junior high schools	One space per each instructor, plus one space per each employee and administrator, plus drop-off areas for school buses, plus spaces required for any assembly hall, auditorium and/or outdoor arena.
Senior high schools	One per each instructor, plus two per each employee and administrator, plus five spaces per each classroom, plus drop off areas for school buses, plus parking required for any assembly hall, auditorium or outdoor arena.
Auditorium, assembly halls and outdoor areas	One space per each three seats or six feet of bleachers.
Libraries, museums, post office	One space per 800 square feet of floor area.
Gasoline service stations	Two spaces per service bay plus one space per employee of largest shift.
Manufacturing and industrial uses other than warehouses, storage buildings, wholesale establishments	One space per employee of the largest working shift plus five visitor spaces; or one space for every 600 square feet of gross floor area of building, whichever bases provides the greater parking accommodations.
Warehouses, storage buildings, wholesale establishments	One space per 1,000 square feet of floor area.
Video Rental Establishments	One space per 100 square feet of floor area, with a minimum of eight spaces.
Miniature Golf Course	One and a quarter (1.25) spaces per hole plus one space per employee of the largest shift.
Driving Range	One spaces per driving tee plus one space per employee of the largest shift.

(Ord. 616, passed 9-23-2013)

§ 155.004 DEFINITIONS.

KENNEL. Any premises on which ~~three or more~~ more than three dogs, four months old or older, are kept.

DOGS

§ 92.20 LICENSE REQUIRED.

It shall be unlawful for any person to own, maintain, keep or harbor any dog within the city without first procuring a license therefor as prescribed by state law. Application for a license shall state the breed, sex, age, color and markings of the dog and the name and address of the applicant. The application shall be accompanied by a certificate of a licensed veterinarian showing that the dog has been vaccinated against rabies.

(1990 Code, § 9.88) Penalty, see § 10.99

§ 92.21 IMPOUNDING DOGS; DISPOSITION.

It shall be the duty of the Police Department or Dog Warden to seize and impound any dog found anywhere in the city contrary to the provisions of this chapter. No dog so impounded shall be released to its owner or other authorized person without payment of the sum of \$3 to the Police Department or Dog Warden for its care and maintenance and without procuring a license as herein provided.

(1990 Code, § 9.89)

§ 92.22 RECORDS.

The Police Department or Dog Warden shall maintain a complete record of all dogs impounded under the provisions of this chapter and the disposition of same.

(1990 Code, § 9.90)

§ 92.23 FEMALE DOGS, RESTRICTION.

It shall be unlawful for the owner or custodian of any female dog to permit such dog off the premises of the owner or custodian when in heat unless the dog is under control and attached to a leash.

(1990 Code, § 9.91) Penalty, see § 10.99

§ 92.24 REPORT TO POLICE DEPARTMENT.

If any person is bitten by a dog, it shall be the duty of that person, or the owner or custodian of the dog having knowledge of same, to report same to the Police Department or Dog Warden within 12 hours thereafter. If the owner or custodian of any dog has any

reason to believe or suspect that such dog has become infected with rabies, it shall be the duty of that person to report the same to the Police Department or Dog Warden within 12 hours thereafter.

(1990 Code, § 9.92)

#### § 92.25 QUARANTINE.

In the event of any report to it as set forth in § 92.24, the Police Department or Dog Warden shall seize such dog and deliver it to the Health Officer. The Health Officer shall hold such dog in quarantine until a laboratory analysis by a licensed veterinarian is made to determine whether the dog is infected. The Health Officer shall promulgate and adopt such rules as he deems necessary for the procedure in all such cases and for the disposition of any dog delivered into his custody.

(1990 Code, § 9.93)

#### § 92.26 RUNNING AT LARGE.

It shall be unlawful for the owner, or any other person having the possession, care, custody or control thereof, to permit any dog to run at large upon the public streets, walks, parks, or other public places within the city, unless such dog shall be attached to a leash of sufficient strength to restrain such dog in such manner as to be kept under the control of the person accompanying it.

(1990 Code, § 9.94) Penalty, see § 10.99

#### § 92.27 ANNOYING DOGS PROHIBITED.

It shall be unlawful for any person to own, harbor or keep any dog which shall cause annoyance or disturbance to persons by frequent and habitual barking, howling or yelping. A violation of this section is a civil infraction (see § 36.06).

(1990 Code, § 9.95) (Am. Ord. 597, passed 2-28-2011)

#### § 92.28 COLLECTION AND DISPOSAL OF ANIMALS WASTES.

Any person walking an animal or allowing them access to or on properties not owned by them, private or public, shall be required to collect solid animal wastes immediately and properly dispose of the same.

(Am. Ord. 504, passed 4-22-2002)

### CATS

#### § 92.30 COLLAR AND IDENTIFICATION REQUIRED.

It shall be unlawful for any person to own, maintain, keep or harbor any CAT within the city without affixing to the cat a collar, including the cat's name and name, address, and phone number of the cat's owner.

#### § 92.31 IMPOUNDING CATS; DISPOSITION.



It shall be the duty of the Police Department to seize and impound any cat found anywhere in the city contrary to the provisions of this chapter. No cat so impounded shall be released to its owner or other authorized person without payment of the sum of \$3 to the Police Department for its care and maintenance and without procuring a license as herein provided.

#### § 92.32 RECORDS.

The Police Department shall maintain a complete record of all cats impounded under the provisions of this chapter and the disposition of same.

#### § 92.33 FEMALE CATS, RESTRICTION.

It shall be unlawful for the owner or custodian of any female dog to permit such dog off the premises of the owner or custodian when in heat unless the dog is under control and attached to a leash.

#### § 92.34 RUNNING AT LARGE.

It shall be unlawful for the owner, or any other person having the possession, care, custody or control thereof, to permit any cat to run at large upon the public streets, walks, parks, or other public places within the city. It shall also be unlawful to feed, shelter, or otherwise care for a stray cat that does not reside full time within the home of the owner, and does not have a collar as required under Section 92.30.

#### § 92.35 COLLECTION AND DISPOSAL OF ANIMALS WASTES.

Any person walking an animal or allowing them access to or on properties not owned by them, private or public, shall be required to collect solid animal wastes immediately and properly dispose of the same.

**From:** [Scott Dzurka](#)  
**To:** [James Eshelman](#); [Christopher Khorey](#); [Heather Hanover](#)  
**Cc:** [Heather Hanover](#)  
**Subject:** Re: Can the golf cart issue be taken on next?  
**Date:** Tuesday, August 15, 2023 9:51:32 PM

---

Jimmy: I think we can get this ball rolling with Chris on some basic research and possibly start the discussion at the next meeting (depending on what all we have on the agenda that night). I have several carts being driven in my neighborhood (including by kids under 16) so we're probably due for some level of regulation on motorized vehicles.

Scott Dzurka, Mayor  
City of St. Johns

---

**From:** James Eshelman <jimeshelman@yahoo.com>  
**Sent:** Monday, August 14, 2023 4:01 PM  
**To:** Heather Hanover <heatherhanover@gmail.com>  
**Cc:** Heather Hanover <hanover@chartermi.net>; Scott Dzurka <SDzurka@stjohnsmi.gov>  
**Subject:** Re: Can the golf cart issue be taken on next?

Thank you Heather!

Jimmy

*May the words of my mouth and the meditation of my heart be pleasing to you, O LORD, my rock and my redeemer.*

*My help comes from the LORD, the Maker of heaven and earth.*

On Aug 14, 2023, at 3:55 PM, Heather Hanover <heatherhanover@gmail.com> wrote:

I will send this on to our planning and zoning expert, Chris. I think Mint Fest is probably the heaviest golf cart problem, so hopefully by next year. With meetings once a month and required Public hearings at both our level and the commission level it takes a while to make changes. The speed of government is slow but sometimes that is a good thing.

Thanks James,  
Heather

On Mon, Aug 14, 2023, 2:48 PM James Eshelman <jimeshelman@yahoo.com> wrote:

Hi Heather and Scott-

I am not sure how our consultants set our planing commission agenda, but with all the golf carts in use by our citizens this weekend it left enforcement in a tough spot and maybe we could follow up in a timely manner.

Golf cart mint festival users seemed very responsible and seemed to understand the guidelines of the state on Michigan for these, but did not understand that since St. John's has not approved golf cart use, they are illegal on our streets until we do. It seems widely misunderstood that we don't currently allow them, and at times i viewed 4-5 golf carts at a time at the garage sales on our street.

We have excellent neighboring ordinances at Elsie and Owosso that we could use as patterns, so not much work should be needed from our planners to put a proposed St. John's ordinance to us at a future meeting.

I found out the police department at both Elsie and owosso have these and they are excellent for patrolling festivals / parades as well as parks & trail systems like ours if this option was allowed for them also.

I am hoping the planners at a minimum bring the agenda to you to set for approval and was hoping we can use the timeliness of the past month festival golf cart use as a catalyst to move foreword on this item.

Jimmy

***May the words of my mouth and the meditation of my heart be pleasing to you, O LORD, my rock and my redeemer.***

***My help comes from the LORD, the Maker of heaven and earth.***



<image0.jpeg>

## **ARTICLE IX. GOLF CARTS**

### **Sec. 33-170. Operation of golf carts on city streets.**

A person may operate a golf cart on city streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart unless he or she is at least sixteen (16) years old and licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- (3) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one (1) proceeding in the same direction.
- (4) A person shall not operate a golf cart on a state trunk line highway (including M-52, M-21 and M-71). This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a city street, using the most direct line of crossing.
- (5) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- (6) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- (7) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians or on or across a cemetery or burial ground.
- (8) A golf cart shall be operated at a speed not to exceed fifteen (15) miles per hour and shall not be operated on a highway or street with a speed limit of more than thirty (30) miles per hour except to cross that highway or street.
- (9) A golf cart shall not be operated on city streets during the time period from one-half (½) hour before sunset to one-half (½) hour after sunrise.
- (10) A golf cart shall not be operated on the James Miner Trail or the Riverwalk Trail.
- (11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (12) This article does not apply to a police officer in the performance of his or her official duties.
- (13) A golf cart operated on a city street under this article is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101.
- (14) As used in this article, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this article.
- (15) All golf carts intended for street use shall be registered and the owners or operators of those golf carts shall register such golf carts prior to operating the same on any city street, at no cost, with the Owosso



125 W Main St  
Elsie MI 48831  
(989) 862-4273  
[www.Elsie.org](http://www.Elsie.org)

## **Village of Elsie Golf Cart Resolution**

### **Frequently Asked Questions – Rules & Regulations**

The Village of Elsie Golf Cart Resolution allows residents to register golf carts for use on Village of Elsie Streets. This does not include streets, roads, trails outside of the Village of Elsie Village limits.

#### **Who can operate a golf cart?**

Subject to certain restrictions, a person can operate a golf cart on certain Village streets as long as he or she is at least 16 years old, is licensed to operate a motor vehicle and both the person and the golf cart are registered with the Village of Elsie.

#### **What types of vehicles fall under the Golf Cart Resolution?**

Only golf carts are covered. Golf carts are defined as a vehicle designed for transportation while playing the game of golf. All other types of vehicles such as ATVs and UTVs, are not covered by this resolution. To be legally operated on Village streets golf carts must be registered with and approved by the Village of Elsie. Further, golf carts must have Headlights on the front, and taillights on the rear, visible from 500' affixed to the rear of the cart.

#### **When can I operate my golf cart?**

If registered, golf carts can be operated one-half hour after sunrise until one-half hour prior to sunset (2014 PA 491). In other words, golf carts cannot be operated on Village streets in the dark. Also, golf carts shall not be operated during weather events with snow and/or ice on the ground.

#### **Where can I operate my golf cart?**

A properly registered person may operate a registered golf cart on Village streets with the following restrictions:

The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.

A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

A person shall not operate a golf cart on a state trunk line highway or on streets with a speed limit more than 30 miles per hour.

State Highways, County Roads, Private Streets and School Drives are not Village streets and the Village's resolution does not allow golf carts to be operated on the same. Provided, golf carts may cross state trucklines (except interstates) to go from one portion of a Village street to another, where golf carts are permitted to operate, by using the most direct line of crossing. A golf cart shall not be operated on a sidewalk, bike path or where motorized vehicles are prohibited.

These restrictions do not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

#### **How fast can I operate my golf cart?**

Michigan law provides that golf carts operated on Village streets must not exceed 25 miles per hour. Operating your golf cart on a Village street more than 25 miles per hour will result in a ticket.

#### **How much does the registration sticker cost?**

There is a \$10.00 Annual cost to register your golf cart with the Village of Elsie. Registration stickers are valid from April 1<sup>st</sup> and expire March 31<sup>st</sup> the following year.

#### **What are the insurance requirements?**

The applicant must show proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy, for coverage of personal injury or property damage resulting from operation of the subject golf cart. A registration sticker will not be issued unless proof of insurance provided at the time of the inspection. A copy of the registration must be with the cart at all times.

#### **Where do I register my golf Cart?**

You may bring your golf cart to The Village of Elsie Admin Office, 125 W Main St Elsie, MI, 48831. A Elsie Police Officer or Code Enforcement officer will process your Registration Application, examine your golf cart and check your proof of insurance.

#### **What are the penalties for violating the Golf Cart Resolution?**

Any person violating any provisions of this article shall be responsible for a civil infraction and a fine in the amount in accordance with the Civil infraction and fine chart specified in the section 7.5-3 in the Village of Elsie Ordinance book.

**Additional Information** - The Golf Cart Resolution and documents can be found on [www.elsie.org](http://www.elsie.org) Should you have any questions or comments feel free to contact the Village of Elsie (989) 862-4273 or by email at [manager@elsie.org](mailto:manager@elsie.org). Please see a complete listing of the Rules and Regulations concerning golf carts in the Village of Elsie on pages 3-4 of this document.



## Village of Elsie Golf Carts - Rules and Regulations

### Definitions

*Village* means the Village of Elsie in County of Clinton, State of Michigan.

*Decal* means the sticker displayed on the front of every registered golf cart within the Village, which are obtained by completing and submitting the proper registration form to the Village of Elsie

*Driver license* means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to MCL 257.329, as amended, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.

*Golf cart* means a vehicle designed for transportation while playing the game of golf.

*Maintained portion* means that portion of a road improved, designated or ordinarily used for vehicular traffic.

*Operate* means to ride in or on, or be in actual physical control of the operation of the golf cart.

*Operator* means a person who operates or is in actual physical control of the operation of a golf cart.

*Registration* means the process through which every person intending to operate a motorized golf cart on roads or streets within the Village must follow.

*Street* means a road, roadway, street or right-of-way within the Village of Elsie street system, but does not include a private road. The terms road, roadway, street and right-of-way are interchangeable.

*Sunset* and *sunrise* mean that time determined by the National Weather Service on any given day.

**Operation of golf carts on Village streets** - A person may operate a golf cart on Village streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle.
- (3) All golf carts are required to have head lights on the front and taillights on the rear of the golf cart that shall be visible from all distances up to 500 feet.
- (4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(6) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street of the Village, using the most direct line of crossing.

(8) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic, in an unoccupied lane, in the case of a one-way street.

(9) A golf cart shall be operated at a speed not to exceed 25 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 35 miles per hour except to cross that roadway or street. The Village may designate roads or classifications of roads for use by golf carts.

(10) A golf cart shall not be operated on the streets of the Village during the time period from one-half hour before sunset to one-half hour after sunrise. Golf carts shall not be operated on Village streets during inclement weather or when snow or ice are present on the streets.

(11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.

(12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed and equipped.

(15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways or parks.

(16) Off-road vehicles, such as Gators, quads, dirt bikes, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.

(17) This section does not apply to a police officer, Village officials, employees, contractors or volunteers in the performance of Village duties.

(18) The operator of the golf cart involved in an accident resulting in injury's to or death of any person, or property damage or some person acting for him/her, or the owner of the golf cart having knowledge of the accident shall immediately by the quickest means of communication notify 911 and or the Clinton County Central Dispatch.

**Parking Regulations** - The parking, stopping, and standing regulations provided in the Village Code, shall also apply to golf carts operated in the Village, as if they are motor vehicles under those provisions.

Registration and decals.

(a) Prior to operating a golf cart on Village streets, the owner of a golf cart shall register the golf cart on an annual basis by making application to the Village of Elsie. Such application shall include proof of insurance as a rider to a homeowner's or renter's policy, or in any other form of policy selected by the applicant, for coverage of personal injury or property damage resulting from operation of the subject golf cart. The Village of Elsie shall review and approve or deny each application, and provide a list of registered golf carts to the Elsie Police and the Code Enforcement departments.

(b) There shall be a \$10.00 charge for the registration of a golf cart, and each approved golf cart shall be issued a registration decal. The golf cart owner shall affix each decal provided by the Village of Elsie Department on a clearly visible place on the left rear of the golf cart near the taillight. The decal shall be valid for one year.

(c) Operating a golf cart on a Village street without registering or with an expired registration is prohibited.

(d) The Village of Elsie retains the right to refuse to issue and/or revoke any registration decal from any golf cart for any reason that is felt appropriate to ensure the safety and well-being of the citizens of Village.

(e) Any police officer or code enforcement officer or designee may temporarily suspend any registration decal, and ban further access on any public street or public property by any golf cart, when in the opinion of that officer the golf cart is being used in a manner to cause damage to public property or members of the public.

(f) The Village Council reserves the right to waive the registration requirements of this ordinance for special events that utilize golf carts.

#### **Violations and penalties**

Any person violating any provisions of this article shall be responsible for a civil infraction and a fine in the amount in accordance with the Civil infraction and fine chart specified in section 7.5-3 in the Village of Elsie Ordinance book.

---

Police Department and receive a registration sticker. The registration sticker must be affixed in plain view on the driver's side of the golf cart below the seating area at all times it is operated on city streets.

(16) Violation of any of the provisions of this section shall be penalized as a civil infraction.

( Ord. No. 819 , § 1, 6-21-21)

**Secs. 33-171—33-185. Reserved.**