



TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

SPECIAL WORK SESSION NO. 24  
Room 8B – Depot Conference Room

July 15, 2024  
5:30 O’Clock P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Bossou, Galloway, Hoffman, McAntire, Caviness and Mayor Johnson.

1. Motion to enter into closed session in accordance with the Iowa Code Section 21.5(1)(a). To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body’s possession or continued receipt of federal funds.
2. Return to Open Session and continue with Special Work Session Proceedings.

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SPECIAL WORK SESSION NO. 24  
Room 8B – Depot Conference Room

July 15, 2024  
5:30 O’Clock P.M.

ROLL CALL: Council Member Bossou, Galloway, Hoffman, McAntire, Caviness and Mayor Johnson.

APPROVAL OF AGENDA

1. Continued discussion regarding McMahon Associates, Inc. for Professional Consulting Services for the City’s Fire Department.

RECOMMENDATION: Discuss; Possible Action for Item on the TABLE.

2. Discussion regarding draft ordinance for regulations related to golf cart usage on authorized streets within the City of Ottumwa.

RECOMMENDATION: Discuss; Provide direction to staff.

***All items on this agenda are subject to discussion and/or action.***

ADJOURN

**\*\*\* It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk’s Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. \*\*\***

\*Items on the TABLE:

1. Resolution No. 147-2024, approving an agreement with McMahon Associates, Inc. for Professional Consulting Services.

RECOMMENDATION: Pass and adopt Resolution No. 147-2024.

CITY OF OTTUMWA  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Jun 18, 2024

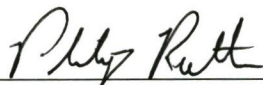
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 147-2024 - Approving an Agreement with McMahon Associates, Inc. for Professional Consulting Services

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 147-2024

DISCUSSION: With the retirement of Fire Chief Miller in September of 2023, the position has not been filled in a permanent capacity. The City has attempted to fill the position on two occasions. The first time resulted in one eligible candidate who was offered the position and turned it down. The second time resulted in one applicant who was not certified under the civil service procedure. Since the first failed attempt to fill the position I have been looking for alternative support to assist with the administrative functions of the role. One of these options was a retired fire chief who reviewed the opportunity and expressed the task bigger than one person could take on. Another option that was explored was the use of a company which

Source of Funds: General Fund - Fire

Budgeted Item:



Budget Amendment Needed:

specializes in the management of public safety and municipal entities. Attached to this document is a proposal for Professional Consulting Services for the fire department. The company would assign a team of professionals who have experience in the fire and emergency services area. They would be on site 4-5 days per month and available for consultation and support outside of those days.

The team would work with fire officers, city administration, and outside agencies as needed to review current practices and make recommendations related to required trainings, compliance with legal guidelines and standards, equipment, standard operating guidelines and policies, general operations, and EMS coordination. They work with current staff and DO NOT take command at any scene or incident. The company would provide support and guidance on the administrative side of the job and may prepare staff to be ready and able to take on the position the next time the job is posted for hire and/or assure the outside agencies that the City of Ottumwa of its support for the fire department and its future operation.

**RESOLUTION NO. 147-2024**

**RESOLUTION APPROVING AN AGREEMENT WITH  
MCMAHON ASSOCIATES, INC FOR  
PROFESSIONAL CONSULTING SERVICES**

**WHEREAS**, the City of Ottumwa has been operating without a full time fire chief since the retirement of Tony Miller; and

**WHEREAS**, the City has attempted on two separate occasions to fill the role and has been unsuccessful on both occasions, the first attempt resulting in a candidate turning down an offer and the most recent attempt receiving only one applicant; and

**WHEREAS**, McMahon Associates, Inc. has a Public Safety & Municipal Management component of their company which can provide support and counsel to the Interim Fire Chief, the Department, and the City; and

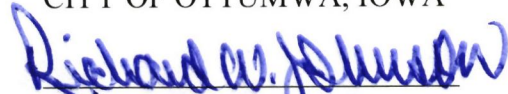
**WHEREAS**, the City has identified a need for Fire Management Counsel by professionals who can provide administrative support while evaluating and making recommendations related to the operating policies and procedures, equipment, training, and compliance of the fire department; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that the proposed Agreement between the City of Ottumwa, Iowa and McMahon Associates Inc. be hereby approved.

**BE IT FURTHER RESOLVED**, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution and the attached Agreement.

APPROVED, PASSED AND ADOPTED, this 18<sup>th</sup> day of June, 2024.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Christina Reinhard, City Clerk

## Fire Management Counsel

Prepared for The



WAPELLO COUNTY | IOWA

February 12, 2024

Prepared By

Kevin Kloehn, Public Safety Specialist

Jeffrey R. Roemer, Public Safety Manager



## Fire Management Counsel

Prepared for The



Prepared By  
McMahon Associates, Inc. | NEENAH, WISCONSIN  
February 12, 2024

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February 12, 2024

City of Ottumwa  
Attn: Philip Rath, City Administrator  
105 E. Third Street  
Ottumwa, IA 52501

Dear Mr. Rath,

We are pleased to submit a proposal for Fire Management Counsel for the City of Ottumwa. Our teams' passion for Public Safety and working with Fire Management provides the basis for our interest in submitting this proposal. The McMahon Associates, Inc. (McMahon) team of consultants will not only meet your expectations, but also have extensive Fire Management experience.

McMahon's Public Safety and Municipal Management Group is a national and international consulting firm whose focus is on public sector consulting services. Most of our clients are public sector entities: municipalities, counties, tribes, or special districts. Our team of consultants are all senior level staff and are either current or former municipal management practitioners. An important component of our approach is frequent communication with the Administration.

Our extensive operational and strategic experience in the public safety area uniquely qualifies us for a project of this nature. The team has management, operational, technical, and consulting experience with all types of municipal and public safety operations experience.

Thank you again for the opportunity to submit this proposal. If you have any questions or desire to schedule a meeting where we can present our proposal in more detail and answer any questions, please feel free to contact me at 920-751-4200 ext. 403 or by email at [kkloehn@mcmgrp.com](mailto:kkloehn@mcmgrp.com). We look forward to working with you on this important project!

Respectfully,  
McMahon Associates, Inc.

A handwritten signature in black ink that reads "Kevin Kloehn".

Kevin Kloehn  
Public Safety Specialist

A handwritten signature in black ink that reads "Jeffrey R. Roemer".

Jeffrey R. Roemer  
Public Safety Manager

JRR:kmh

McMahon provides public management consulting that provides professional, high quality public management consulting, project management and other related services to organizations throughout the United States and abroad. Our consultants have served the needs of numerous municipalities throughout the United States and remain very active with several public safety and government related organizations including:

- Wisconsin City/County Management Association
- International City/County Management Association
- Wisconsin State Fire Chiefs Association
- International Association of Fire Chiefs
- International Association of Police Chiefs
- Association of Public Safety Communications Officials
- Paramedic Systems of Wisconsin
- National Emergency Number Association
- National Police Protection Association
- Wisconsin Society of Certified Public Managers
- Wisconsin State Police Chiefs Association
- Wisconsin Association of Public Safety Communications Officials

Our consultants possess in-depth knowledge of relevant aspects of public service, which includes administration, communications, organization, labor relations, human resources, economics, and standards. This knowledge allows us to provide clients with an intellectual and objective analysis of the information received. This information is then presented in an easily understood format, allowing policy boards to make knowledgeable and informed decisions.

Project progress is measured against an established work plan, timetables, budget, and list of deliverables. Project methodology includes frequently scheduled progress meetings to discuss progress as well as new or unanticipated issues. The work plans are focused, coordinated, and logical. Project team members are also available throughout the duration of the project.



Our approach to this project requires a clear understanding of the current Fire Departments organization, staffing, operations, administration, planning, and related concerns. The key elements of our methodology include:

- A clear understanding of the project background, complex issues involved and the goals and objectives.
- A work plan that is comprehensive, well designed, practical and provides for ample opportunity for client input.
- Sufficient resources and a commitment to successfully completing the project within the desired time frame and at a reasonable cost.

### **Client Input**

To provide Fire Management Counsel and make specific recommendations, it is critical that we receive quality information from officials, and staff. Accordingly, our approach includes regular meetings with the City Administrator and Fire Chief, along with associated agencies that would have valuable information to communicate to the Service.

### **Practical Recommendations**

Our goal is to provide our client with realistic recommendations for the administration and management of the fire department. These recommendations need to be practical and based on sound practical standards and legal considerations.

### **Project Management**

A successful assessment and the provision of effective recommendations requires a special effort to ensure that all levels of the project receive adequate attention and those findings and recommendations are thoroughly coordinated. This is accomplished by the development and adherence to a project work plan, clear management team assignments and frequent communications with the City and Fire Department Administration.

### **Department Meetings**

Initial meetings will be held with the City and Fire Administration and/or Fire Officers, to review the duties and responsibilities of McMahon during the term of this project.

### **Management Team**

The management team will consist of the McMahon project team, primarily Kevin Kloehn, and the City Administrator, the Fire Chief and his Officers. This team will meet initially to organize and plan the communications structure, the daily, weekly, and monthly work plan, which will be utilized to complete the project.

### **Availability**

The McMahon project manager will be on-site an average of four to five days per month and will provide the ability for direct communications with the Fire Chief and City Administrator daily.

### **Administration**

The management team will manage the project direction, revisions of department operations, coordination of agencies and resource needs.

### **Training**

The management team will develop a department-wide training plan, which will outline training responsibility and provide adequate training for all department personnel on related changes to the Department based on the recommendations.

### **Compliance**

The management team will review all current administrative rules and applicable standards, along with current departmental practices to ensure compliance with relevant legal guidelines and standards. McMahon will also assist with coordinating corporate and public legal assistance if needed.

### **Equipment and Maintenance**

The management team will review current equipment, maintenance procedures and provide recommendations for any changes based on the resource recommendations.

### **Standard Operating Guidelines**

The Project Manager will also provide guidance and assistance with the implementation and training of any changes to the department standard operating guidelines and response plans.

## **External Contacts**

The Project Manager will assist with external fire departments, dispatch and related agencies as needed.

## **Reporting**

A management summary report will be provided to the City Administrator monthly. This report will outline the project team and department activities and actions that have taken place during this project.

## **Emergency Scene Operations**

The management team will review current incident scene practices and uniformity and develop and refine related standard operating guidelines to assure adherence to safety standards, best tactical practices, and uniformity throughout the Department, based on the recommendations. McMahon personnel will not be in a position to take command at the scene of any incident.

## **EMS Coordination**

The Project Manager would also be available to assist with EMS coordination as needed by the Department.

### **Project Fee**

McMahon Associates, Inc. proposes to provide the Scope of Services described in this Proposal for the Fire Management Counsel as follows:

*Time & Expense estimated at: \$10,000 - \$13,000 per month*

Upon acceptance of this Proposal, McMahon will prepare an Agreement incorporating the Scope of Services and terms outlined here. All services will be provided in accordance with our General Terms & Conditions, dated November 10, 2024, which will be incorporated into the Agreement for reference.

Invoices will be sent every month based on the previous months' time and expenses.

### **Project Schedule**

McMahon has the staff available to begin this project immediately upon award. Based on our prior experience in projects similar in nature, it is estimated that it will take approximately five to eight (5-8) months to complete. This timeline is contingent upon the compliance issues that need to be worked on. There will be weekly communications with the City Administration and regular review of project hours and prioritizing of objectives.

Personnel assigned to this project are selected from McMahon Associates, Inc. (McMahon). The Project Manager supervises the Project Team and clerical personnel support the team. The combined resources ensure that the client receives the best possible combination of professional attention.

**Kevin K. Kloehn – Public Safety Specialist**

Kevin will serve as Project Manager. Kevin has over 31 years of experience in the Fire, Emergency Medical, and Emergency Management field. He recently retired as a Fire Chief of a consolidated fire department in Wisconsin. Before his position as Fire Chief, he worked as a Shift Commander/Battalion Chief, Captain, and Driver. Prior to becoming a career Fire Chief, Kevin worked as a Fire Chief for a Volunteer Department in which he consolidated two (2) Fire Departments within a Community. Kevin has experience on two (2) major Consolidation Projects, Strategic Planning, Emergency Operations Planning, and developing Training Plans for new Firefighters.

**Kevin I. Bierce – Senior Public Safety Specialist**

Chief Bierce has been the Fire Chief for the City of Pewaukee Fire Department since 2008 where he oversees all emergency operations. Prior to becoming Chief, he worked in various positions including Assistant Chief, Division Chief of Prevention, Captain, and Lieutenant. As Division Chief of Inspections, Kevin worked to combine the building inspection department of two communities under the authority of the Fire Department to create the Building Services Division overseeing building, zoning, and plan review of all structures in the Village and City of Pewaukee. He is a licensed building official and serves by appointment of the Governor of Wisconsin on the Wisconsin Commercial Building Code Council, responsible for the oversight and review of the Wisconsin Building Codes.

**Robert C. Whitaker – Senior Public Safety Specialist**

Robert will assist the Project Team and has over 25 years of experience in the fire, emergency medical and emergency management field. He currently works as a Fire Chief/Administrator of a consolidated fire department in Wisconsin. Before his position as Fire Chief/Administrator, he worked as a Deputy Chief of Administration, Battalion Chief and Training Chief. Robert has worked as a consultant on a variety of public sector management projects, including multiple projects on fire service consolidation and shared service initiatives.

### Gerald W. Kudek – Public Safety Specialist II

Gerald is an experienced and dedicated public safety professional with over 38 years of experience in the fire service. Starting as a paid-on-call firefighter, he advanced to a full-time career and has served in every aspect of the fire department, from firefighter/EMT, Motor Pump Operator, Lieutenant in charge of Training, Battalion Chief, and to his last 10 years as Fire Chief. His strong leadership and relationship building skills were key as the department gained City Council approval of 9 new firefighter positions (without grant or referendum), as well as moving forward with new station construction and a station remodel. His areas of expertise include fiscal responsibility, problem solving, and innovative thinking.

### Jeffrey R. Roemer – Public Safety Manager

Jeff will assist the Project Team with review of project specific information and processes as well as advise on findings and recommendations. He has over 35 years of experience in public safety and is currently Public Safety Manager of the Public Safety & Municipal Management Group for McMahon. He is a certified public manager and has been providing full-time public safety management consulting for the last 24 years. He worked as a Fire Chief, Police Chief, EMS Director, and Emergency Management Director before moving into public management consulting. He has worked with over 300 public safety clients nationwide and internationally.

RIPON AREA FIRE DISTRICT  
**Strategic Planning & Org Analysis and Fire Management Counsel**  
Ellen Sorenson  
515 Aspen Street,  
Ripon, WI 54971  
920-745-2262

CITY OF MAUSTON  
**Fire Management Counsel**  
Mauston Police and Fire Commission  
Brian McGuire, Chairman  
[btmcguire77@gmail.com](mailto:btmcguire77@gmail.com)  
303 Mansion Street  
Mauston, WI 53948  
608-548-3035

HOLMEN FIRE DISTRICT  
**Fire Department Sustainability and Fire Management Counsel**  
Patrick Barlow, Fire Board President  
[barlow@holmenwi.com](mailto:barlow@holmenwi.com)  
710 South Main Street,  
Holmen, WI 54636  
608-526-9363

CITY OF BARABOO, WI  
**Fire Dept. Organizational & Consolidation Feasibility Study**  
Edward Geick, City Administrator  
101 South Blvd  
Baraboo, WI 53913  
608-355-2715

CITY OF DE PERE, WI  
**Fire Dept. Organizational & Consolidation Feasibility Analysis and Interim Fire Chief Services**  
Larry Delo, City Administrator  
335 S. Broadway  
De Pere, WI 54115  
920-339-4044

VILLAGE OF GERMANTOWN  
**Fire Management Counsel Services**  
Steven Kreklow, Village Administrator  
[skreklow@germantownwi.gov](mailto:skreklow@germantownwi.gov)  
N112W1701 Mequon Road  
Germantown, WI 53022  
262-250-4775

CITY OF GREEN BAY  
**Interim Fire Chief Services**  
Eric Genrich, Mayor  
100 N. Jefferson Street  
Green Bay, WI 54301  
920-448-3000

VILLAGE OF JOHNSON CREEK  
**Interim Fire Chief Services and Fire Management Counsel**  
Sam Bell, Village Clerk  
[samb@johnsoncreekwi.org](mailto:samb@johnsoncreekwi.org)  
125 Depot Street  
Johnson Creek, WI 53038  
920-699-2296



## CHAPTER 82 GOLF CART REGULATIONS

### Contents:

- 82.01 PURPOSE.
- 82.02 DEFINITIONS.
- 82.03 OPERATION OF GOLF CARTS PERMITTED.
- 82.04 EQUIPMENT REQUIREMENTS.
- 82.05 HOURS OF OPERATION.
- 82.06 PROHIBITED STREETS.
- 82.07 RULES OF OPERATION.
- 82.08 PARKING.
- 82.09 USAGE DURING SPECIAL EVENTS.
- 82.10 PENALTY.
- 82.11 INSURANCE REQUIRED.
- 82.12 PERMIT REQUIRED.
- 82.13 GROUNDS FOR REFUSING, SUSPENDING, OR REVOKING A GOLF CART REGISTRATION PERMIT.
- 82.14 EXCEPTIONS.

(Ord. No. 934, 10/10/2023)

### 82.01 PURPOSE.

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The purpose of this chapter is to regulate the operation of golf carts within the City as enabled by Code of Iowa, Section 321.247.

### 82.02 DEFINITIONS.

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For use in this chapter the following terms are defined:

**Golf cart** means a three (3) or more wheeled recreational vehicle primarily designed for transportation of person(s) and sporting equipment in the sport of golf that is either electric powered or gas powered.

**Micromobility Device** means a mobility device under one hundred pounds, which may be equipped with an electric motor for assistance or sole propulsion, designed for conveying the operator, with speeds of less than twenty miles per hour.

**Primary roads or Primary road extension** means those roads and streets both inside and outside the boundaries of municipalities which are under Iowa Department of Transportation jurisdiction.

**Other Power-Driven Mobility Device (OPDMD)** means any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion, including golf carts, electronic personal assistance mobility devices, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.

### **82.03 OPERATION OF GOLF CARTS PERMITTED.**

---

1. Golf carts may be operated upon city streets by persons possessing a valid driver's license, subject to the additional provisions of this Chapter. While operated on a city street the number of passengers permitted on a golf cart shall not exceed the number of seats intended for passengers. While on city streets, operators must have on their person or in the golf cart proof of the required insurance.

(Code of Iowa, Sec. 321.247[1])

2. Golf carts and operators of golf carts are considered vehicles and shall be subject to the Ottumwa Traffic Code when operating on city streets.
3. Golf carts are not subject to registration provisions of Code of Iowa, Chapter 321.

(Code of Iowa, Sec. 321.247[2])

### **82.04 EQUIPMENT REQUIREMENTS.**

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Golf carts operated upon city streets and alleys shall be equipped with a minimum of the following safety features:

1. A slow-moving vehicle sign
2. A safety flag, the bottom of which shall be above the top of the golf cart
3. Adequate brakes (Code of Iowa, Sec. 321.247[1])
4. Rear view mirror
5. Headlights, brake lights, turn signal lights
6. City of Ottumwa registration

### **82.05 HOURS OF OPERATION.**

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Golf carts may be operated on city streets and alleys only between sunrise and sunset, except when a snow emergency is in effect, at which time golf cart operation is prohibited.

(Code of Iowa, Sec. 321.247[1])

### **82.06 PROHIBITED STREETS.**

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Golf carts shall only be operated upon streets with a posted speed limit of 25 MPH or less as identified under Ottumwa city code 23-150(1) and shall not be operated on any city streets which are a primary road extension through the city, however, such golf carts shall be allowed to cross such primary road extensions and other prohibited streets provided:

1. The crossing is made at an angle of approximately ninety degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
2. The golf cart is brought to a complete stop before crossing the street;
3. The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard;
4. In crossing a divided street, the crossing is made only at an intersection of such street with another street; and
5. The crossing is made from a street, roadway, or highway on which the golf cart is authorized to operate to a street, roadway, or highway on which such vehicle is authorized to operate.

(Code of Iowa, Sec. 321.247[1])

## **82.07 RULES OF OPERATION.**

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1. Except when executing a left turn, golf carts shall be driven as close as practicable to the right-hand edge of the rightmost motorized travel lane.
2. When necessary to prevent congestion of traffic, golf carts shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
3. When two or more golf carts are being operated in the same direction and general vicinity, they shall proceed in single file.
4. No golf carts shall be operated upon city sidewalks, bridges, or multi-use trails – including the Ottumwa Trail System.
5. Golf carts shall not be operated on an operating railroad right-of-way. A golf cart may be driven directly across a railroad right-of-way at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.
6. The operator of a golf cart shall yield the right of way to pedestrians, bicycles, electric scooters, electric bicycles, and other micro-mobility devices.
7. No person shall operate a golf cart along city streets while under the influence of alcoholic beverages, narcotics, or habit-forming drugs.
8. No person shall operate a golf cart in a careless, reckless, or negligent manner endangering the person or property of another or causing injury or damage to same.
9. The operator of a golf cart shall be responsible for the safety of all passengers on the golf cart and shall not allow reckless or dangerous behavior by passengers on said vehicles.
10. The operator of a golf cart shall limit occupancy of the golf cart to the number of seats for which the vehicle is registered and occupants shall be in approved seats.

## **82.08 PARKING.**

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Golf carts shall be parked in standard automobile parking spaces and follow all motor vehicle regulations according to City of Ottumwa Traffic Code. Golf carts used as OPDMDs may be parked on other paved and unpaved surfaces on public property such that they do not cause damage to any surface. No golf carts, including those used as OPDMDs, may be parked in such a way as to obstruct vehicular, pedestrian, or bicyclist traffic.

## **82.09 USAGE DURING SPECIAL EVENTS.**

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Golf carts may be used in support of special events sponsored or as permitted by the City. Operators and passengers shall comply with this chapter and any other conditions established by the City for any specific event, which conditions shall be set forth in writing by the City Administrator or designee.

## **82.10 PENALTY.**

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A person who violates the provisions of this ordinance shall be punishable for a municipal infraction violation under the provisions of Chapter 1, Article III of the Ottumwa Municipal Code.

## **82.11 INSURANCE REQUIRED.**

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A person shall not drive a golf cart in the City of Ottumwa unless the driver has proof of the financial liability coverage card issued for the golf cart covering the golf cart in the same limits required by Chapter 321 of the Code of Iowa. A proof of financial liability coverage card may be produced in paper or electronic format. Acceptable electronic formats include electronic images displayed on a cellular telephone or any other portable electronic device that has a display screen with touch input or a miniature keyboard.

The amount of coverage should follow Iowa Code Section 321A.21.b, and shall insure the person named in the policy and any other person, as insured, using the golf cart with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of the golf cart within the City of Ottumwa.

## **82.12 PERMIT REQUIRED.**

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No person shall operate a golf cart on any public street for any purpose unless the operator possesses a City of Ottumwa permit to operate a golf cart on city streets. Permits are issued at City Hall after the application is approved. The granted permit will be valid for one calendar year. All permits shall be issued for a specific golf cart. The permit fee shall be established by resolution. A prorated fee will be applied for permits purchased inside of the annual permit cycle. The permit must be with the golf cart when it is operating on City streets. A permit sticker will be provided and is to be attached to the safety flag of the golf cart. It is the responsibility of the applicant to make sure the golf cart meets the minimum requirements of this chapter and the Code of Iowa.

It is the responsibility of the applicant that the owner of the golf cart (and driver) has liability insurance covering the golf cart in the same limits required by Chapter 321 of the Code of Iowa.

The permit may be suspended or revoked by the City upon finding evidence that the permit holder has violated the conditions of the permit or has abused the privilege of being a permit holder. If the golf cart has a valid Ottumwa registration permit, it may be operated by another driver holding a valid Iowa driver's license. Operation without a permit will result in a municipal infraction violation.

Permits are valid within Ottumwa City Limits only. There will be no refund of the permit fee. Permits in accordance with the provisions of this chapter may be transferred with sale of the golf cart.

If a peace officer stops a golf cart permitted in the City of Ottumwa and the driver is unable to provide proof of financial liability coverage, the peace officer shall do one of the following:

1. Issue a warning to the driver.
2. Issue a citation to the driver.

The golf cart may be driven for a time period of up to forty-eight hours after receiving the citation solely for the purpose of removing the golf cart from the streets of Ottumwa, unless the driver's operating privileges are otherwise suspended. After receiving the citation, the driver shall keep the citation with them while driving the golf cart as provided in this subparagraph, as proof of the driver's privilege to drive the golf cart for such limited time and purpose.

This section does not apply to golf carts owned by a golf cart dealer, wholesaler or golf course owner.

## **82.13 GROUNDS FOR REFUSING, SUSPENDING, OR REVOKING A GOLF CART REGISTRATION PERMIT.**

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The City of Ottumwa shall refuse to issue a golf cart registration permit upon any of the following grounds:

1. That the permit application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the City.
2. That the golf cart is mechanically unfit or unsafe to be operated or moved upon the streets of Ottumwa, providing such condition is revealed by any peace officer.
3. That the City has reasonable ground to believe that the golf cart is a stolen or an embezzled golf cart or that the granting of registration permit would constitute a fraud against the rightful owner.
4. When the golf cart fails to meet the Equipment Requirements as identified in 82.04.
5. When a golf cart has been dismantled or wrecked.
6. When a golf cart permit is knowingly displayed upon a golf cart other than the one for which the permit was issued.
7. When the permit applicant has any outstanding fines or payments owed to the City.

A hold will be placed on a golf cart owner's ability to receive a golf cart registration permit in the City of Ottumwa, for the non-payment of moving or non-moving violation fines. This hold will remain in place until all fines are paid in full.

## **82.14 EXCEPTIONS.**

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1. *Municipal Use.* Employees, agents or authorized invitees of the city shall be authorized to drive golf carts upon city streets, including prohibited streets identified in 82.06, when such operation is part of their official duties on behalf of the city. A permit will not be required for such municipal use of golf carts.
2. *Business Use.* A permit will not be required for businesses administering driving tests for golf carts.