

ORDINANCE NO. 2018-023

**CREATING A "GOLF CART ZONE" ON CERTAIN ROADS IN THE BIRCH BAY AREA**

**WHEREAS**, Birch Bay area residents have requested to operate golf carts in the Birch Bay area; and

**WHEREAS**, RCW 46.08.175 allows for creation of golf cart zones; and

**WHEREAS**, the Birch Bay Chamber of Commerce supports the creation of a golf cart zone in the Birch Bay area; and

**WHEREAS**, the speed limit on all the roads in the proposed Golf Cart Zone are 25 mph or less; and

**WHEREAS**, operators of golf carts shall be licensed motor vehicle operators as required by RCW 46.20.001.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that a Golf Cart Zone is hereby on Birch Bay Drive and all county roads posted 25 mph or less that lead to, and are contiguous with, Birch Bay Drive;

**BE IT FURTHER ORDAINED** that the County Engineer is hereby directed to install the appropriate signs; and

**BE IT FURTHER ORDAINED** that the Sheriff's Department be provided a copy of this ordinance.

**BE IT FINALLY ORDAINED** that this Ordinance must be renewed by the Whatcom County Council by October 31, 2019, or golf carts will no longer be allowed on Birch Bay Drive and all county roads posted 25 mph or less that lead to, and are contiguous with, Birch Bay Drive.

ADOPTED this 22nd day of May, 2018.

ATTEST:  
Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor

Approved  Denied

Jack Louws, Executive

Date: 5/30/18

**RCW 46.08.175****Golf cart zones.**

(1) The legislative authority of a city or county may by ordinance or resolution create a golf cart zone, for the purposes of permitting the incidental operation of golf carts, as defined in RCW 46.04.1945, upon a street or highway of this state having a speed limit of twenty-five miles per hour or less.

(2) Every person operating a golf cart as authorized under this section is granted all rights and is subject to all duties applicable to the driver of a vehicle under chapter 46.61 RCW.

(3) Every person operating a golf cart as authorized under this section must be at least sixteen years of age and must have completed a driver education course or have previous experience driving as a licensed driver.

(4) A person who has a revoked license under RCW 46.20.285 may not operate a golf cart as authorized under this section.

(5) The legislative authority of a city or county may prohibit any person from operating a golf cart as authorized under this section at any time from a half hour after sunset to a half hour before sunrise.

(6) The legislative authority of a city or county may require a decal or other identifying device to be displayed on golf carts authorized on the streets and highways of this state under this section. The city or county may charge a fee for the decal or other identifying device.

(7) The legislative authority of a city or county may prohibit the operation of golf carts in designated bicycle lanes that are within a golf cart zone.

(8) Golf carts must be equipped with reflectors, seat belts, and rearview mirrors when operated upon streets and highways as authorized under this section.

(9) A city or county that creates a golf cart zone under this section must clearly identify the zone by placing signage at the beginning and end of the golf cart zone on a street or road that is part of the golf cart zone. The signage must be in compliance with the department of transportation's manual on uniform traffic control devices for streets and highways.

(10) Accidents that involve golf carts operated upon streets and highways as authorized under this section must be recorded and tracked in compliance with chapter 46.52 RCW. The accident report must indicate that a golf cart operating within a golf cart zone is involved in the accident.

[ 2010 c 217 § 4.]

**RCW 46.04.1945****Golf cart.**

"Golf cart" means a gas-powered or electric-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles per hour. A golf cart is not a nonhighway vehicle or off-road vehicle as defined in RCW 46.04.365.

[ 2011 c 171 § 12; 2010 c 217 § 3.]

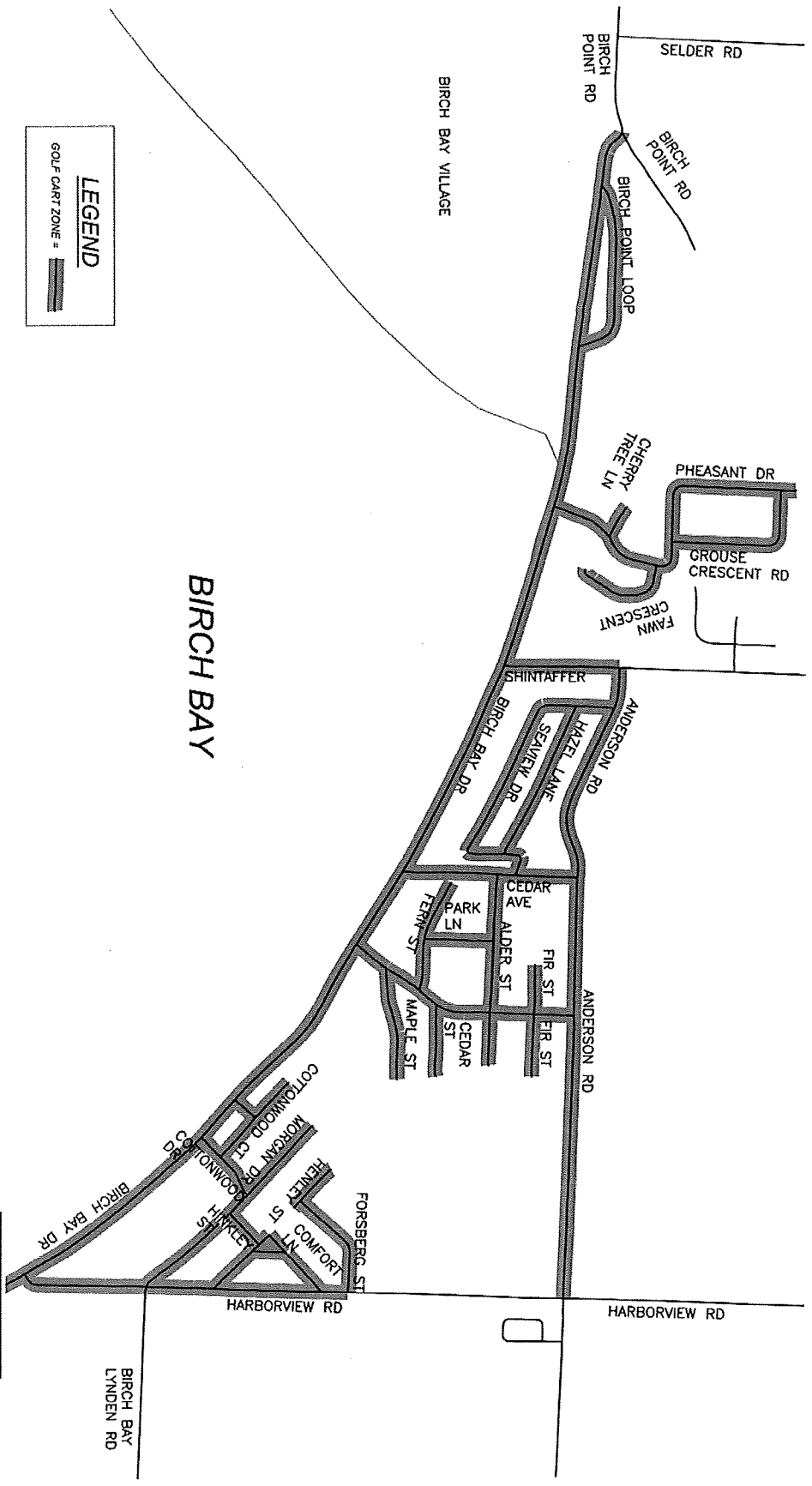
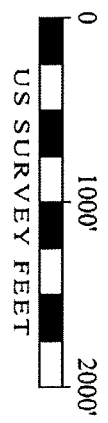
**NOTES:**

**Intent—Effective date—2011 c 171:** See notes following RCW 4.24.210.



# EXHIBIT "A"

DEPARTMENT OF PUBLIC WORKS  
522 N. COMMERCIAL ST., SUITE 301  
BELLINGHAM, WA 98225  
(360) 778-6210



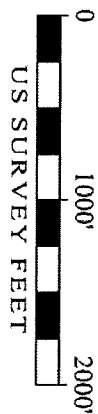
**LEGEND**  
GOLF CART ZONE = [thick line symbol]

SEE EXHIBIT "B"



# EXHIBIT "B"

DEPARTMENT OF PUBLIC WORKS  
322 N. COMMERCIAL ST., SUITE 301  
BELLINGHAM, WA 98225  
(360) 778-6210



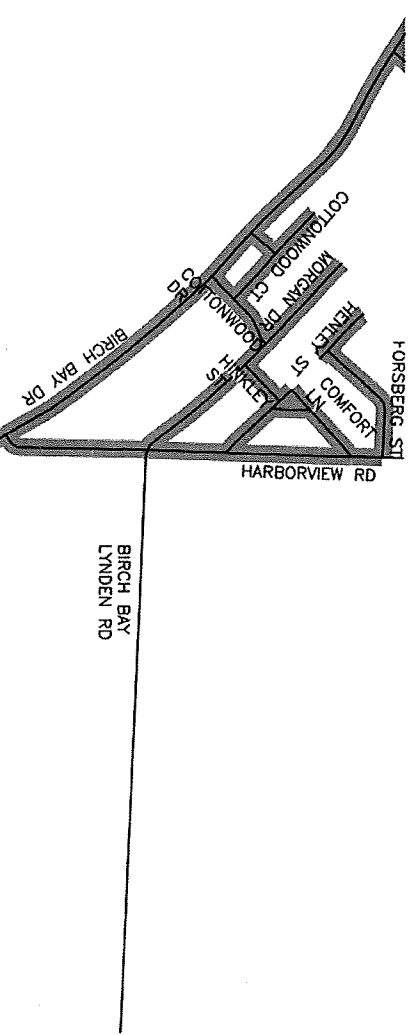
SEE EXHIBIT "A"

BIRCH BAY

SEE EXHIBIT "C"

**LEGEND**

GOLF CART ZONE = 





# EXHIBIT "C"

DEPARTMENT OF PUBLIC WORKS  
322 N. COMMERCIAL ST., SUITE 301  
BELLINGHAM, WA 98225  
(360) 778-6210

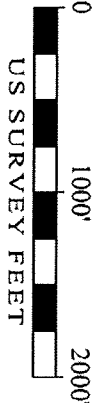
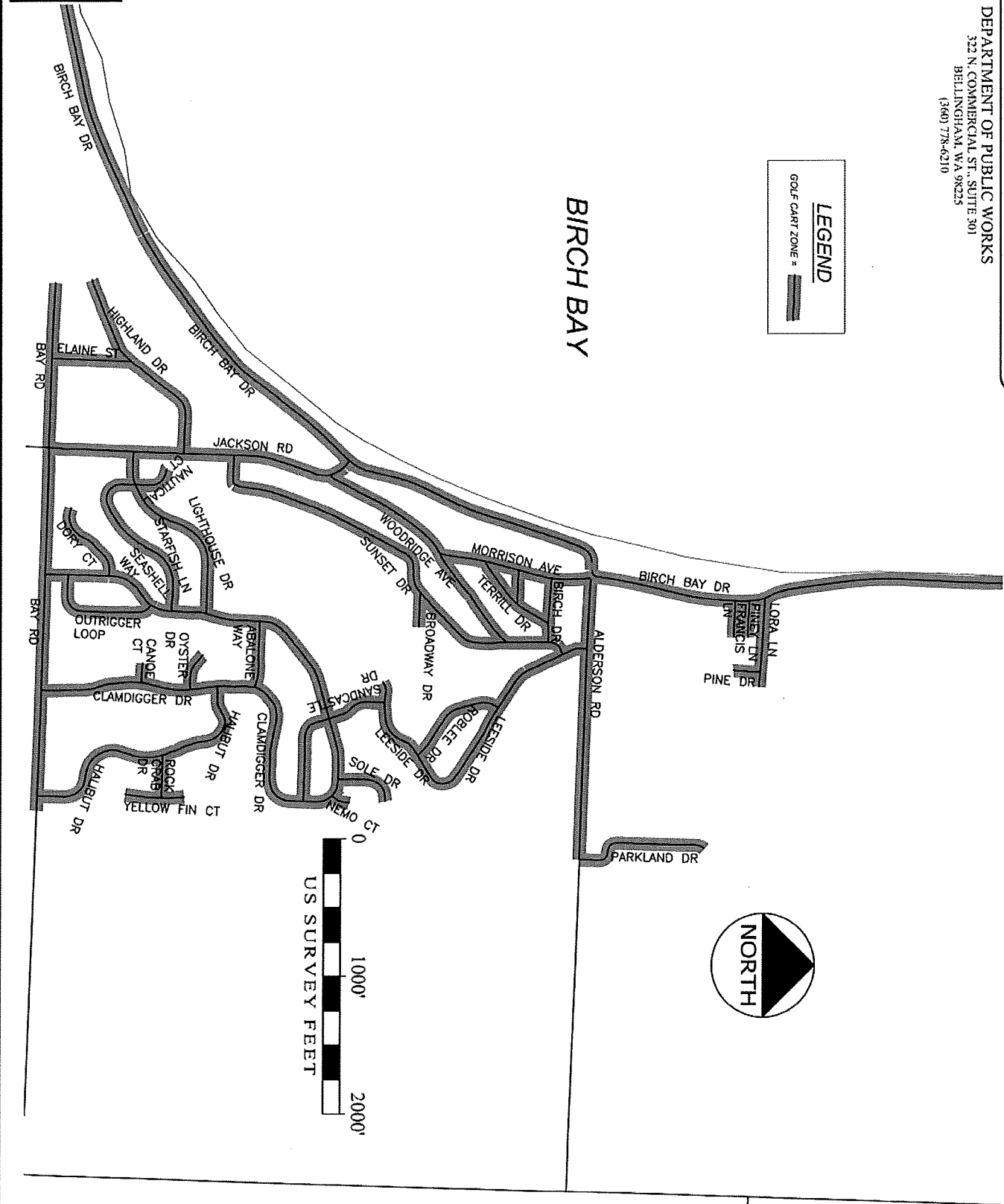
SEE EXHIBIT "B"

**LEGEND**

GOLF CART ZONE =

## BIRCH BAY

SEE EXHIBIT "D"






# EXHIBIT "D"

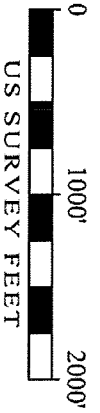
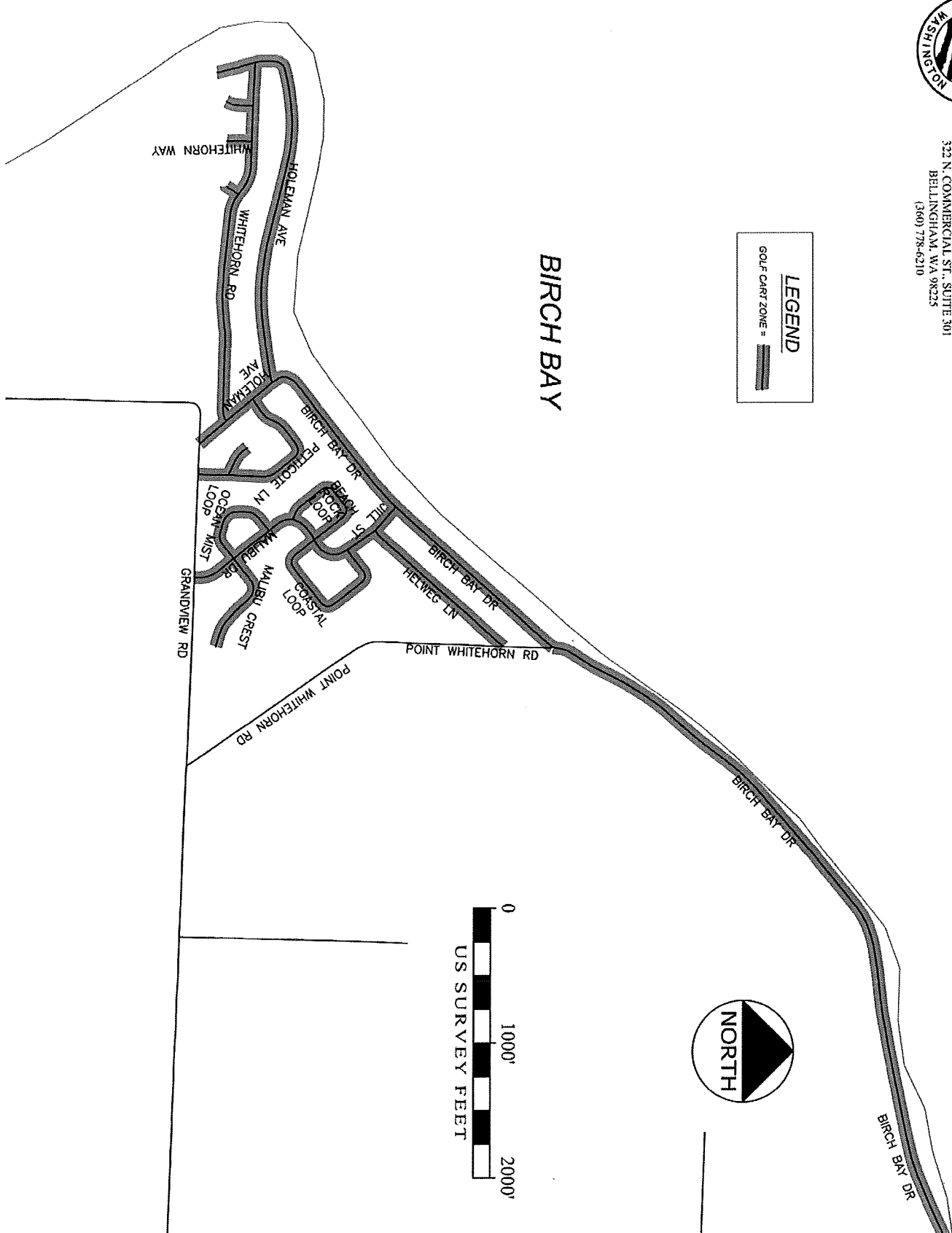
DEPARTMENT OF PUBLIC WORKS

522 N. COMMERCIAL ST., SUITE 301  
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(360) 778-6210

**LEGEND**

GOLF CART ZONE = 

BIRCH BAY



SEE EXHIBIT "C"

**WHATCOM COUNTY COUNCIL AGENDA BILL**

2018-125

NO. \_\_\_\_\_

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JPR	4/11/18	<div style="font-size: 2em; font-weight: bold; opacity: 0.5;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold;">APR 16 2018</div> <div style="font-size: 1.2em;">County Council</div>	4/24/2018	PW Council - Introduction
Division Head:	JPR	4/11/18		5/8/18	Council - Hearing
Dept. Head:	TH	4/12/18		5/22/2018	Public Hearing
Prosecutor:	KNF	4/12/18			
Purchasing/Budget:					
Executive:	PKH	4.16.18			

**TITLE OF DOCUMENT:**

*An Ordinance creating a "golf cart zone" on certain roads in the Birch Bay area.*

**ATTACHMENTS:**

1. Memorandum to County Executive and County Council
2. Golf Cart Zone Maps A-D
3. RCW 46.08.175 & 46.04.1945
4. Ordinance

SEPA review required? ( ) Yes ( X ) NO  
 SEPA review completed? ( ) Yes ( X ) NO

Should Clerk schedule a hearing? ( X ) Yes ( ) NO  
 Requested Date: 5/8/18

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

*Designation of certain roads in the Birch Bay area, as a "golf cart zone" as defined in RCW 46.08.175*

**COMMITTEE ACTION:**

4/24/2018: Discussed

**COUNCIL ACTION:**

4/24/2018: Introduced 6-0, Byrd absent  
 5/8/2018: Held in Council, public hearing held open for two weeks  
 5/22/2018: Amended and adopted 7-0, Ord. 2018-023

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Ord. 2018-023

**Please Note:** *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).*