

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2021-1085

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO OPERATION OF GOLF
CARTS; REPEALING ORTING MUNICIPAL CODE
SECTIONS 7-8-4 AND 7-8-5, TO REMOVE
REGISTRATION REQUIREMENTS; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, in 2011 the council found that because the definition of motor vehicle, set out in RCW 46.04.320, did not specifically include or exclude a golf cart from the definition of a motor vehicle, and because a golf cart is more similar in terms of maximum speed to electric vehicles that are not considered a motor vehicle, the City Council found that golf carts are not intended to be regulated as motor vehicles under Title 46 RCW and are intended to be regulated in the same way as bicycles and electric personal assistive mobility devices; and

WHEREAS, in 2019, RCW 46.04.320 was amended to explicitly exclude golf carts as a regulated “motor vehicle” but require that golf cart operation abide by the “rules of the road” set out in Chapter 41.60 RCW; and

WHEREAS, the City Council finds that it would be in the best interests of the public health, safety and welfare of the citizens of Orting to amend the Orting Municipal Code to remove the requirement to register golf carts, as the costs of operating a registration program outweigh the benefits of such a program;

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Repeal. Orting Municipal Code Section 7-8-4, Registration Required, is hereby repealed.

Section 2. Repeal. Orting Municipal Code Section 7-8-5, Golf Cart Registration, is hereby repealed.

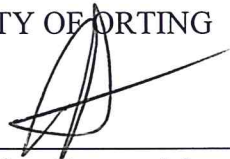
Section 3. Savings Clause. The provisions of the Orting Municipal Code which are repealed by this ordinance shall remain in force and effect until the effective date of this ordinance.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

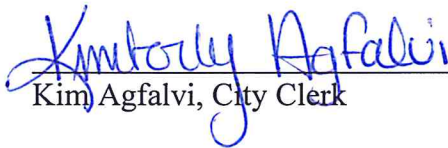
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27th DAY OF October 2021.

CITY OF PORTING



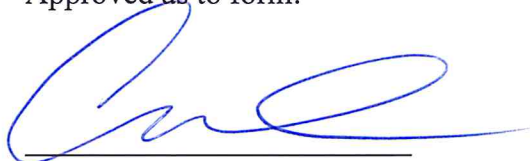
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:



Kim Agfalvi, City Clerk

Approved as to form:



Charlotte Archer
Inslee Best
City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.
Date of Publication:
Effective Date:
Expiration Date: