

ORDINANCE NO. 2019- 29

AN ORDINANCE ADDING CHAPTER 76: GOLF CARTS TO THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, At the Work Session of the Goldsboro City Council on April 15, 2019, Councilmember Gene Aycock added a discussion on creating an ordinance to allow the use of golf carts on public streets using the state guidelines and charging a fee of \$25.00 per year;

WHEREAS, After several discussions with Council, the city attorney has created an ordinance based on Council discussion to include regulations, rules and regulations for the operation of golf carts and enforcement.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that Chapter 76- Golf Carts be added to the Code of Ordinances of the City of Goldsboro, North Carolina as follows:

- **Chapter 76 - GOLF CARTS**
- **76.01 - Regulation of golf carts.**

(A) *Necessity.* The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts, are not designed or manufactured to be used on public streets, roads and highways, hereinafter "road(s)," and the City of Goldsboro in no way advocates or endorses their operation on roads. The city, by regulating such operation is merely trying to address obvious safety issues, and adoption of this article is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this article. All persons who operate or ride upon carts on roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The city has no liability under any theory for permitting carts to be operated on roads. Any person who operates a cart must procure liability insurance on a par with that required for motor vehicles.

(B) *Purpose:* The purpose of this ordinance shall be to establish a golf cart ordinance within the City of Goldsboro to promote the health, safety and welfare of persons operating cart(s) within the city and to protect the safety of their passengers and other users of roads.

(C) *Definitions:* For the purpose of this article, the following words and phrases shall have the following meanings.

Driver's license: A valid license issued to operate a motor vehicle issued by North Carolina or any other state.

Financial responsibility: Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.

Golf cart: A four-wheel vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 MPH (G.S. 20-4.01(12a)). Vehicles resembling golf carts which exceed this speed capacity must be registered with the NC Department of Motor Vehicles, in which case they will essentially be regulated as an automobile, and otherwise such vehicles will not be allowed on public streets.

Operator: Only persons 16 years of age and older holding a valid driver's license may operate a golf cart on roads.

- **76.02 - Rules and regulations for the operation of golf carts.**

This section is to establish guidance in the interest of public safety. Hereinafter:

(A) The owners of golf carts, not including similar vehicles which have been registered with the state and have a license plate, must obtain a permit from the city. Such permit is valid for one (1) year only and must be renewed annually. The permit fee is \$25, and the permit shall be granted once the owner has provided the following items and information: (a) The full name of the owner and his or her address and telephone number, (b) a copy of the owner's driver's license, (c) proof of insurance covering the golf cart for injury to persons and property on an equal level to that required for NC registered motor vehicles, (d) the names, addresses and ages of the persons authorized by the owner to drive the golf cart, and a copy of their driver's licenses. A copy of the permit shall be on the golf cart at all times when it is used on public streets.

(B) Golf carts shall not be operated on or alongside a public road or street with a posted speed limit greater than 25 miles per hour.

(C) Golf carts may cross a road with a posted speed limit greater than 25 mph at a duly erected traffic control signal (such does not include stop signs or yield signs, but is intended that crossing be at duly

erected traffic stoplights/control signals only). However, once this segment of road has been traversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 25 mph or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e. no riding along a road or crossing at an angle. Under no circumstance is a golf cart allowed to cross a controlled access facility (such as an interstate) other than by means of bridges which cross over or under a controlled access facility.

(D) Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina. Proof of such insurance shall be readily available on the golf cart.

(E) Any person who operates a golf cart must be at least 16 years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.

(F) Any person who operates a golf cart on public streets and roads must adhere to all applicable state and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.

(G) The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the city which governs the operation of motor vehicles.

(H) An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.

(I) In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.

(J) Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

(K) Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.

(L) Golf carts must have basic and safety equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include a rear view mirror and plainly visible rear reflectors.

(M) Golf carts without lights may be operated only during daylight hours. Golf carts meeting the requirements set forth below may operate at any time:

1. Golf carts having two operating headlights, one on each side of the front of the golf cart and two operating tail lights, one on each side of the rear of the cart, all four lights must be visible from a distance of 500 feet; and
2. If a mechanical turn signal indicator is not installed, then hand signals are required for turns.

• **76.3 - Enforcement.**

Violation of the provisions of this article shall constitute an infraction in accordance with Chapter 20 of the North Carolina General Statutes, the maximum penalty for which shall be \$150.00.

This Ordinance shall be in full force and effect from and after the 3rd day of June, 2019.

Approved as to Form Only:

Reviewed by:



City Attorney



City Manager