

## City of Southport Golf Cart Ordinance

*Ordinance adopted on October 12, 2017. Ordinance will become effective January 31, 2018.*

- **Sec. 17-80. - Golf carts.**

- (a) *DEFINITIONS*

- (1) ***GOLF CART.*** A 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.
    - (2) ***OPERATE.*** To drive, or be in physical control of a golf cart that is moving or has its key inserted and in the on position.

- (b) *REGISTRATION AND PERMIT REQUIREMENTS*

- (1) *Registration and Permit required.* In order to operate a golf cart in the corporate limits of the City of Southport under this section, the golf cart must be registered annually with the City of Southport using an application furnished by the city. A twenty-five dollar (\$25.00) per year registration fee, from July 1 through June 30, must be paid to the City before a registration sticker is issued. The registration sticker must be displayed on the left rear fender of the golf cart. Low speed vehicles subject to state regulation and licenses will be exempt from a permit and inspection, but the City of Southport requests low speed vehicle owners to register with the City and obtain a sticker free of charge so the City can maintain an accurate count of low speed vehicles in Southport.
    - (2) *Basic requirements.* In order to register a golf cart and secure an annual permit, the owner and golf cart must meet the following basic requirements:
      - a. All golf cart operators must be 18 years of age or older and possess a full valid driver's license, except any driver or operator 18 years of age or older with a medical or physical condition that prevents that individual from being able to obtain a valid North Carolina driver's license. Any driver or operator with such a medical or physical condition must have certification from an appropriate medical professional that they can safely operate a golf cart. Any driver or operator that is exempt from the requirement of a valid North Carolina license must still present and have a valid North Carolina Identification card on record and while operating a golf cart.
      - b. The owner must possess and maintain liability insurance in an amount not less than required by North Carolina law for traditional motor vehicles operated on a public street or highway.
      - c. The golf cart must have an identifiable vehicle identification number.

- (3) *Required safety features.* In order to register a golf cart and secure an annual permit, a golf cart must have the following safety features installed:
- a. Two operating front headlights or an equivalent light bar, visible from a distance of at least 250 feet;
  - b. Two operating tail lights, with brake lights and turn signals, visible from a distance of at least 250 feet
  - c. A rear vision mirror;
  - d. A horn
  - e. Stop lamps
  - f. At least one reflector per side;
  - g. A parking brake;
  - h. A Type 1 or Type 2 seat belt assembly conforming to section 571.209 of the Federal Motor Vehicle Safety Standard No. 209 installed at each designated seating position.
  - i. A windshield; and
  - j. Must be limited to a maximum of three rows of seats.
  - k. Any modification to the golf cart must comply with all safety requirements of this section and must be inspected by the appropriate City staff prior to operation.
- (4) *Unobstructed views.* No golf cart shall be registered, approved for use, or operated on the city's streets if the operator's view is materially obstructed, obscured, or impaired by any sign, poster, sticker, or other non-transparent material placed upon any front windshield, or side or rear window.
- (5) *Dimension and weight limits.* No golf cart shall be registered or approved for use, or operated on the city's streets if the overall dimensions and/or weight of the vehicle exceed any of the following dimensions:
- a. Length: 160.00 inches; 13 feet 4 inches
  - b. Height: 84.00 inches 7 feet
  - c. Width: 60.00 inches 5 feet
  - d. Weight: 1,600.00 pounds. Weight shall be determined by the manufacturer's published data or, if none is available, then by the vehicle's curb weight. Curb weight, for purposes hereof, is defined as the weight of the vehicle in an operational status with all fluids and components, including batteries, but without driver, passengers or cargo.
- (6) *Inspection.* Prior to the issuance of a permit, designated city staff shall inspect the golf cart for compliance with the requirements of this section. No golf cart shall be registered and permitted unless it is in compliance with all requirements.
- (7) *Acknowledgment.* Prior to issuance of a permit, the owner shall sign an acknowledgment that he or she has read and understands the provisions of this section.
- (8) *Disqualified vehicles.* All-terrain vehicles, 4-wheel utility vehicles, go-karts, and other similar utility vehicles which are not manufactured for operation on a golf course, and/or a golf cart which has been modified so that it no longer meets the definition of golf cart may not be registered as a golf cart under this section or shall such vehicles be operated on the public roads, streets and highways within the city, unless such vehicles are registered and permitted under the motor vehicle laws of North Carolina.

(9) *Exceptions:*

- a. The operation of golf carts on private property, with the consent of the owner
- b. The operation of golf carts within private, gated, or limited access communities, unless the streets of the community are dedicated for public use and maintained by the city;
- c. The use of a golf cart in connection with a parade, a festival, or other special event provided the consent of the sponsor is obtained, the police department is notified, and provided the golf cart is only used during such event; and
- d. The use of city vehicles by city personnel, or other governmental agencies and/or public service agencies on official business.

(c) *OPERATION ON PUBLIC STREETS AND ROADS.* It is unlawful to operate a golf cart on any public street or road within the City except in accordance with the following regulations:

- (1) The golf cart may only be operated on streets and roads that have a posted speed limit of 35 miles per hour or less.
- (2) A golf cart must display a valid city-issued golf cart annual registration sticker.
- (3) All golf cart operators must be 18 years of age or older and possess a full valid driver's license, except any driver or operator 18 years of age or older with a medical or physical condition that prevents that individual from being able to obtain a valid North Carolina driver's license. Any driver or operator with such a medical or physical condition must have certification from an appropriate medical professional that they can safely operate a golf cart. Any driver or operator that is exempt from the requirement of a valid North Carolina license must still present and have a valid North Carolina Identification card on record and while operating a golf cart.
- (4) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 miles per hour.
- (5) No golf cart may be operated in a careless or reckless manner
- (6) The driver and passengers must be properly seated while the golf cart is in motion, the seating capacity with seat belts shall not be exceeded.
- (7) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic
- (8) Golf carts may not be operated or parked on any sidewalk or in any city park, except for golf carts operated by governmental or public service agencies for official purposes.
- (9) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages and other impairing substances.
- (10) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles or in parking spaces specifically dedicated for golf cart parking.
- (11) Golf carts may only park in handicapped parking spaces if the driver has a valid handicapped placard or sticker and the same is clearly posted or displayed in the golf cart.
- (12) Golf carts may not be used for the purpose of towing another cart, trailer or vehicle of any kind, including a person on roller skates, skateboard, or bicycle.
- (13) The possession of open containers of alcohol and/or consumption of alcohol by the driver and/or passengers of a golf cart is prohibited.

- (14) Golf carts may not be used as a taxicab or bus or for the commercial carrying of passengers or the hauling of freight.
- (15) All golf carts are required to maintain liability insurance at the same level as required for automobiles.
- (16) Golf carts shall not be operated on or across any public or private properties without the permission of the property owner.
- (17) During an emergency situation or at a special event, any police officer supervising or controlling traffic may direct that golf carts be operated only on or upon certain streets or locations as directed by the officer.

(d) *PENALTIES*

- (1) In addition to constituting a misdemeanor or infraction as provided by G.S. 14-4, violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$ 50 for each separate of distinct offense to be recovered by the city in an action in the nature of debt if not paid by the offender within 72 hours after being cited for the violation.
- (2) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public street or road is a violation of state law, and is punishable as provided therein. The charging officer does not have discretion to issue a civil citation for violation of this subsection.
- (2) The city may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit, if the registered golf cart and/or the owner of the golf cart is involved in three or more violations of this section ~~and/or violations of state law~~ pertaining to within a three-year time period. Said revocation and/or denial of a permit shall be effective for one year.

(e) *LIABILITY DISCLAIMER*

- (1) This section is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the city is no way advocates or endorses their operation on public streets or roads. The City, by regulating this operation, is addressing obvious safety issues, and adoption of this section is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon golf carts on public streets or 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 of liability and the city assumes no liability, for permitting golf carts to be operated on the public streets and roads under the special legislation granted by the state legislature.