

## CHAPTER 73: GOLF CARTS

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### § 73.01 AUTHORITY TO REGULATE.

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A. Pursuant to G.S. § 160A-300.6, as enacted by the State General Assembly, the village is authorized, by ordinance, to require the registration of and to regulate the operation of, golf carts upon public streets, roads and highways within the village where the speed limit is 35 mph or less.

B. For purposes of this chapter, a GOLF CART is 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.

(Ord. OR-2009-10-01, passed 9-8-2009)

### § 73.02 OPERATION ON PUBLIC STREETS AND ROADS.

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It shall be unlawful to operate a golf cart on a public street, road or highway right-of-way within the village except in accordance with the following provisions.

- A. Golf carts may not be operated on or alongside a public street, road, highway or within subdivisions listed in § 73.04 with a posted speed limit greater than 25 mph.
- B. No golf cart may be operated on any public street, road or highway without being equipped with at least one brake light between sunset and sunrise. Golf carts may operate between sunrise and sunset without a brake light if the driver uses the appropriate hand signals.
- C. If a golf cart is not equipped with brake lights or turn signals, the operator must use standard hand signals to signal stopping and turns.
- D. 1. Notwithstanding any other provision of this chapter, golf carts may not be operated on the following roads:
  - a. Bonds Grove Church Road;
  - b. Hwy. 16/Providence Road;
  - c. Joe Kerr Road;
  - d. Marvin Road;
  - e. Marvin School Road;
  - f. New Town Road; and
  - g. Waxhaw Marvin Road.
- 2. Roads may be added or deleted by the Village Council.
- E. No person may operate a golf cart on a public street, road or highway unless licensed to drive upon the streets and highways of the state and then only if that person operates the golf cart in accordance with the conditions of his or her license. Golf cart operators must carry their driver's licenses on their person at all times while operating a golf cart on public streets, roads or highways.
- F. 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 occupants to ride on any part of a golf cart not designed to carry passengers, such as the part of the cart designed to carry golf bags.

- G. In no instance shall a golf cart be operated at a speed greater than 20 mph. Even at speeds at or below 20 mph, no golf cart may be operated at a speed greater than is reasonable and prudent for the existing conditions.
- H. No golf cart may be operated in a careless or reckless manner.
- I. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
- J. Golf carts may be operated only during daylight hours unless they have the following equipment: at least two lighted lamps, one on each side of the front of the golf cart, visible at night under normal atmospheric conditions from a distance of at least 300 feet in front of the cart, and a red lamp on the rear, visible at night under like conditions from a distance of at least 200 feet to the rear of the cart.
- K. Golf carts must be operated in accordance with all applicable state and local laws, regulations and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages. In addition, no golf cart containing any open container of alcohol shall be operated on public streets, roads or highways.
- L. Golf carts must have a vehicle identification number or serial number and the basic equipment identified by the manufacturer. The equipment must include all safety devices as installed by the manufacturer, including a rear-view mirror.
- M. During an emergency situation or at a special event, any police officer supervising or controlling traffic may direct that golf carts be operated other than as permitted by this chapter.
- N. 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 roads in the state of North Carolina.

(Ord. OR-2009-10-01, passed 9-8-2009; Ord. OR-2012-12-01, passed 12-11-2012)

### **§ 73.03 RESERVED.**

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### **§ 73.04 STREETS AND ROADS APPROVED FOR USE.**

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Golf carts authorized for use under the provisions of this chapter may be operated only on internal public streets that are located within subdivisions that have received final plat approval.

(Ord. OR-2009-10-01, passed 9-8-2009; Ord. OR-2015-12-02, passed 12-8-2015)

### **§ 73.05 ENFORCEMENT.**

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Violation of the provisions of this chapter shall constitute an infraction in accordance with G.S. Chapter 20. Notwithstanding the foregoing, persons who, while driving golf carts on public streets or roads within the village, violate the Rules of the Road applicable to motor vehicles GENERALLY (as set forth in G.S. Chapter 20, Article 3, Part 10 of Article 3) shall be subject to the same penalties applicable to the operators of other motor vehicles.

(Ord. OR-2009-10-01, passed 9-8-2009)

### **§ 73.06 LIABILITY DISCLAIMER.**

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This chapter is adopted to protect public safety. By adopting this chapter, the village does not declare or represent that golf carts are designed or manufactured to be used on public streets or roads and does not advocate or endorse their operation on public streets or roads. This chapter is not to be relied on as a determination that operation of golf carts on public streets or roads is safe or advisable even if done in accordance with this chapter. All persons who operate golf carts on public streets or roads do so at their own risk and peril, and must observe and be attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. By permitting golf carts to be operated on public streets and roads under the special legislation adopted by the state's legislature, the village assumes no responsibility or liability for the operation of golf carts.

(Ord. OR-2009-10-01, passed 9-8-2009)

**§ 73.99 PENALTY.**

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Any act constituting a violation of this chapter shall subject the offender to a civil penalty of \$50, plus the court costs and attorney fees incurred by the village. If the offender fails to pay the penalty within 30 days of receiving written notice of the violation, the penalty may be recovered by the village in a civil action in the nature of debt. Three violations of this chapter within a 12-month period will be cause for revocation of the existing registration for six consecutive months.

(Ord. OR-2009-10-01, passed 9-8-2009)