

Chapter ? Golf Carts

GENERAL PROVISIONS

20. ADJUSTMENTS, WAIVERS OR VARIANCES

Unless otherwise stated herein, any adjustments to, waivers of, or variances from these ordinance restrictions are for the purpose of alleviating hardships for owners and assisting in the orderly development of the City. Only the City Council, in writing, may grant such adjustments, waivers or variances.

Golf Cart Operation and Regulations

Section 1 DEFINITIONS

City limits - the incorporated, municipal boundaries of the city.

Driver - the person driving and having physical control over the motor vehicle or golf cart.

Golf cart - the meaning assigned by Texas Transportation Code § 551.401, as amended, and means a motor vehicle commonly referred to as a golf cart which must have a minimum of four wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course and in compliance with those federal motor vehicle safety standards for low speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles (ATVs), off-road vehicles, four wheelers, mules, gators and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour.

Owner - the person holding ownership of the golf cart.

Person - any human being, corporation, association, sole proprietorship, company, and/or agency. The term "person" also includes general contractor, subcontractor, or truck driver.

Public street - a publicly owned or dedicated road, street, drive, or other right-of-way for the use of vehicles within the City limits that:

- (1) Has a posted speed limit of 25 miles per hour or less; or
- (2) Is not designated as part of either the state or federal highway system.

City means the City of Mountain City, a general-law municipality in Hays County, Texas.

Section 2 OPERATION

It is the intent of this ordinance to limit the operation of a golf cart within the City limits to licensed drivers only. The City is authorized to regulate golf carts under Chapter 541 in the Texas Transportation Code and finds that efforts to discourage and reduce under-aged drivers of golf carts and promote the safe operation of golf carts is in the best interest of the health, safety, and general welfare of City residents.

The City hereby allows the lawful operation of golf carts on public streets in the City in accordance with state traffic laws and as follows:

- (1) The operator shall be a licensed driver as provided by Texas Transportation Code § 521.021, as amended, and carry a valid driver's license;

- (2) All drivers of golf carts shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets;
- (3) Golf carts are prohibited from pulling boats, jet skis, other objects or people on public streets and the right-of-way;
- (4) Headlights shall be used at dark beginning 30 minutes before sunset and 30 minutes after sunrise;
- (5) Passengers shall be limited to designated seating capacity by the manufacturer;
- (6) No one shall stand in or on the vehicle while it is in operation;
- (7) Any passenger under the age of seven shall be restrained by either an adult or by a seatbelt;
- ~~(8) Golf carts shall be registered with the Texas Department of Motor Vehicles and issued a license plate.~~
- (8) The wreckless or careless operation of a golf cart is prohibited; and

Ordinance Section 3 REQUIRED EQUIPMENT

(a) A golf cart must be equipped with the following minimum equipment as mandated by Texas Transportation Code § 551.4041, as amended, and/or required by the city to be eligible for road operation:


- (1) Operational headlamps;
- (2) Operational tail lamps;
- (3) Operational parking brake;
- (4) Rearview mirror;
- (5) Slow moving vehicle sign having a reflective surface on the rear of the golf cart;
- (6) Turn signals;
- (7) Functioning horn; and
- (8) Brake lights; and

(9) Seat belts. (b) Equipment and its installation must meet standards provided by the Texas Transportation Code, as amended. All such safety equipment shall be maintained as provided by the state traffic laws within the Texas Transportation Code, as amended.

Section 4 ENFORCEMENT

The Hays County Sheriff's Office shall have the power to have a golf cart towed to an approved impound lot at the sole expense of the golf cart owner if the:

- (1) Golf cart is operated in violation of this ordinance;
- (2) Golf cart is not operated by a person eligible by state law to operate the vehicle; or

 (3) Location of the golf cart in the public right-of-way at the time of towing poses a hindrance to the safe and orderly flow of traffic or a threat to public safety.

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