

Town of Pink Hill

**An Ordinance to Regulate the
Operation of Golf Carts on
Public Streets and Roads**

BE IT ORDAINED, by the Board of Commissioners of the Town of Pink Hill, North Carolina that the Code of Ordinances be amended by inserting a new Article _____ of Chapter _____, Title _____ and numbering the sections et seq. accordingly, as follows:

Section 1. Authority to Regulate.

Pursuant to North Carolina General Statutes (N.C.G.S.) Section 160A-300.6, the Town is authorized, by ordinance, to regulate the operation of golf carts on any public street, road or highway where the speed limit is 35 miles per hour or less.

Section 2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Golf cart – means “golf cart” as defined by N.C.G.S. Section 20-4.01 (12a), or any successor statutory definition. As of the date of this Ordinance’s initial adoption, such definition reads as follows: “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 miles per hour.”

Operate – means to drive, or be in physical control of a golf cart that is moving or has its key inserted and in the on position.

Public streets and roads – means those streets, roads and highways owned and/or maintained by the Town or the State of North Carolina, including any associated right-of-way.

Town – The Town of Pink Hill, North Carolina

Chief of Police – The Town Chief of Police or his or her designee.

Officially Sanctioned – Authoritative permission or approval that makes a course of action valid.

Section 3. Operation on Public Streets and Roads.

It is unlawful to operate a golf cart on a public street or road within the Town unless the following requirements are met:

- (A) The golf cart must display a valid registration sticker as provided in Section 4.
- (B) The golf cart may only be operated on, or cross or travel over, public streets and roads with a posted speed limited of 35 miles per hour or less.
- (C) An operator of golf cart must be at least 16 years of age. No person shall operate a golf cart in violation of North Carolina law or Pink Hill Town Ordinances.
- (D) Only the number of people the golf cart is designed to seat may ride on a golf cart and all passengers must be properly seated. Passengers shall not be carried on the part of a golf cart designed to carry golf bags.
- (E) Riders may not be transported in a negligent manner.
- (F) 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.
- (G) No golf cart may be operated in a careless or reckless manner.
- (H) 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.
- (I) Golf carts must be operated to the extreme right of the paved portion of the roadway, and must yield to all vehicular, bicycle and pedestrian traffic.

(J) Golf carts may be operated in bicycle and pedestrian lanes on any public streets and roads provided they do not impede bicycle or pedestrian traffic.

(K) Golf carts are not allowed to be driven on any sidewalks in Town.

(L) Golf carts must be equipped with a rear vision mirror and rear reflectors.

(M) Golf carts must have the basic equipment supplied by the manufacturer, including a Vehicle identification number. Such equipment must include all safety devices as installed by the manufacturer.

(N) No golf cart may be operated on public streets or roads between one half hour after sunset and one half hour before sunrise unless equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of at least five hundred (500) feet.

(O) The operator must possess proof of liability insurance in an amount not less than required by North Carolina law for motor vehicles operated on a public highway in the State of North Carolina.

(P) The Chief of Police, or his designee, may prohibit the operation of golf carts on any Street or road if the Chief determines that the prohibition is necessary in the interest of safety.

Section 4. Registration Required.

(A) No golf cart may be driven on any public street or road, or right-of-way associated therewith, within the Town, other than on a golf course, or at properly designated golf cart crossings, without a registration sticker being acquired from the Town Police Department attached to said golf cart in a conspicuous place on the lower left windshield. Prior to being operated within the town, a golf cart must be inspected by the Chief of Police or his or her designee. Upon successfully passing an inspection, the golf cart will be assigned a registration sticker. Inspections are due each year. Registrations may be issued at any time during the registration period; however, all registrations shall be valid from July 1 until June 30 of the following year.

- (B) An annual inspection and fee of Twenty-five dollars (\$25.00) per golf cart will be charged by the Town for the inspection, permit sticker, and to cover the costs of implementing and administering this Ordinance. The Town Police Chief retains the right to refuse to issue and/or revoke any permit sticker from any golf cart at any time for any reason that he/she feels is appropriate to ensure the safety and well-being of the citizens of the Town.
- (C) Prior to receiving a golf cart registration sticker, the applicant must produce proof of payment of the applicable golf cart registration fee and provide proof of liability insurance.
- (D) Registration fees may change without notice. Registration fees will not be prorated due to date of issuance.

Section 5. Enforcement and Penalty.

- (A) Any act constituting a violation, except as provided in Section 5(B), of this Ordinance or failure to comply with any of its requirements shall subject the offenders to civil penalty of Fifty dollars (\$50.00), plus the court costs and attorney fees incurred by the Town.
- (B) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public road or highway is not a violation of this Ordinance, but a violation of state law, and is punishable as provided therein.
- (C) If the offenders fail to pay the penalty within ten (10) days of receiving final written Notice of violation, the penalty may be recovered by the Town in a civil action in the Nature of a debt. Repeat offenders may have the privileges granted by this Ordinance Revoked by the Town Police Chief and/or the Board of Commissioners.

Liability Disclaimer

This ordinance is adopted to address the interest of public safety. Golf carts are not designed or Manufactured to be used on public streets. The Town of Pink Hill is in no way advocates or endorses their use in such a manner. By establishing this ordinance, the Town is merely

attempting to address safety issues as they relate to golf cart operation and usage. The adoption of this subchapter is not to be relied upon as a determination that operation of golf carts on public Streets is safe or advisable, even if done in accordance with this subchapter. As with any other form of transportation, all persons who operate golf carts or any other vehicle do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others. The Town has no liability under any theory of liability and the Town assumes no liability for permitting golf carts to be operated on public streets.

Effective Date of Ordinance

Adopted this 9th day of September, 2014, and effective the 1st day of December 2014.

Mayor

Attest:

Town Clerk