

AN ORDINANCE TO AMEND THE FOREST CITY CODE OF ORDINANCES
CHAPTER 20 TO ESTABLISH A GOLF CART ORDINANCE

Sec. 20-200 - Scope

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 Town of Forest City in no way advocates or endorses their operation on roads. The Town of Forest City, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. 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 Town of Forest City has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the Town of Forest City.

(A) **PURPOSE:** The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town of Forest City to promote the health, safety and welfare of persons operating cart(s) within the Town of Forest City and to protect the safety of their passengers and other users of roads.

(B) **DEFINITIONS:** For the purpose of this section, the following words and phrases shall have the following meanings.

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. G.S. 20-4.01(12a).
2. *Driver’s License:* A valid license issued to operate a motor vehicle issued by North Carolina or any other state. *A provisional licensed driver is not considered a valid licensed driver for the purpose of this article.*
3. *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.
4. *Operator:* Only persons over 16 years of age and holding a valid driver’s license may operate a golf cart on roads.

Sec. 20-201 - Rules and regulations.

Golf Cart operation on designated public streets for the Town of Forest City shall be in accordance with the following restrictions:

1. Only those Golf Carts having the required safety equipment specified herein, and have obtained the proper permit from the Town of Forest City may be operated under the provisions of this chapter.
2. Golf Cart operation is limited to streets within the city limits which has a posted speed limit of thirty-five (35) miles an hour or less (unless otherwise noted below);
 - (a) Golf carts may not be operated on the following streets or roadways regardless of the speed limit:
 - (1) Any portion of College Avenue. College Avenue is determined to be a non-crossable roadway;
 - (2) Any portion of Oak Street Extension;
 - (3) Daniel Road southwest of College Avenue;
 - (4) Butler Road west of College Avenue;
 - (5) Any portion of Bethany Church Road;
 - (6) Any portion of Hudlow Road; and
 - (7) South Broadway Street south of Wells Drive.
3. An operator may cross a road at an intersection that has a posted speed limit of forty-five (45) miles per hour or less unless the specified intersection or road has been listed as non-crossable within this article. An operator 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.
4. 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. These documents must be in the golf cart at all times while in operation on public roads.
5. The operator must be (16) years of age and possess a 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.
6. Golf Carts shall not be operated at a speed greater than 20 miles per hour or at a speed greater than reasonable and prudent for the existing conditions.
7. Golf Carts must be operated to the extreme right of the roadway and yield the right-of-way to overtaking vehicles.
8. Golf Carts are prohibited from operating, parking or stopping on sidewalks or public pathways.
9. No person shall stand while the Golf Cart is in operation.

10. Golf Carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions.
11. 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.
12. Any person who operates a golf cart on public streets and roads must adhere to all applicable state and local laws, traffic rules, 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.
13. If the Golf Cart does not have a functioning mechanical turn signal indicators, hand signals are required before making turns.
14. Golf Carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including:
 - (a) Two (2) operating headlights visible from a distance of two hundred and fifty (250) feet;
 - (b) Two (2) operating tail lights with brake lights visible from a distance of two hundred and fifty (250) feet;
 - (c) Rear view mirror;
 - (d) Rear triangle reflector;
 - (e) Parking brake; and
 - (f) Golf Carts with “lift kits” may not be more than 22” high measured from the ground to the floorboard.

Sec. 20-202 - Registration, Inspection, Permit and Fees.

- (1) Golf Cart owners must have submitted a golf cart registration application and Disclaimer, Liability Waiver and Assumption of Risk, releasing the Town of Forest City and the Forest City Police Department from liability that may arise as a result of operation of a golf cart inside the Town of Forest City submitted to Town of Forest City and the Forest City Police Department for each Golf Cart prior to approval.
- (2) Golf cart registrations will be issued by the Town of Forest City beginning on January 1, 2019 for bi-annual periods. For example, all permits issued on or after January 1, 2019 and prior to December 31, 2020 will expire on December 31, 2020 at the conclusion of the two year calendar period. Thereafter, registrations will continue to be issued for successive bi-annual periods. A golf cart registration fee as determined by the Forest City Council will be required and the payment of such fee will be made to the Town of Forest City prior to a safety inspection being performed.

- (3) In the event, a Golf Cart fails to pass the safety inspection and/or in the event a permit has been suspended due to failure to comply with safety equipment requirements set forth in this ordinance, a re-inspection fee shall be paid prior to the re-inspection being performed. Such fee will be determined by the Forest City Council.
- (4) A safety inspection shall be performed by Forest City Police Department to determine the minimum safety requirements as set forth by this ordinance and has been met prior a permit and/or registration sticker being issued.
- (5) Owners must have proof of ownership and liability insurance.

Section 20-203 - Denial/Revocation of a Golf Cart permit.

The Chief of Police and/or his designee may deny the issuance and/or revoke a permit for:

- (1) Failure to maintain required Golf Cart insurance;
- (2) Failure to maintain required safety equipment in good working order;
- (3) Operation of a Golf Cart in careless and reckless manner;
- (4) Operation of a Golf Cart while under the influence of an impairing substance;
- (5) Violations of state laws and local ordinances; and/or
- (6) Failure to pay fines for violations of this chapter.

Section 20-204 - Violation

If any person shall violate this article, he/she shall be guilty of an infraction and shall be subject to a fine in the amount of \$25.