

ARTICLE II. GOLF CARTS

Section 66-29. Findings; definition.

The City Council finds that all streets and paved recreational paths located within the territorial boundaries of the City and under its jurisdiction are designed and constructed so as to safely permit their use by operators of motorized carts, electric bicycles, and low speed motor vehicle ("LSMV"), except as stated elsewhere in this article. The term "motorized carts" are defined as those electric and gasoline-powered pleasure carts, commonly called golf carts, which do not exceed 20 miles per hour. The term "electric bicycles" are defined as those single person bicycles powered by an electric motor which will not propel the bicycle at a speed in excess of 20 miles per hour on a flat surface carrying 150 pounds. No other electric bicycles are authorized for use under this article. The term "LSMVs" are defined as those four-wheeled vehicles whose top speed exceeds 20 miles per hour but does not exceed 25 miles per hour and which possess some mechanical, electrical or similar system other than merely decreased pressure on the accelerator wherein the vehicle's top speed can be prohibited from exceeding 20 miles per hour by the operator.

(Ord. of 4-19-2005, § 1)

Section 66-30. Registration/inspection certification.

- A. Motorized carts. It shall be the duty of every owner of a motorized cart that is operated over the recreation paths and streets and those areas accessible by the public to register the cart with the City within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the police department. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The registration fee for motorized carts owned by City residents shall be \$10.00, and the registration shall be effective until such time as the cart is sold or otherwise disposed of. An annual registration/user fee of \$60.00 shall be charged to nonresidents of the City. The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of. This nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership, unless the nonresident had previously paid the registration/user fee the same calendar year, in which case a one-time transfer fee of \$5.00 would be applicable. Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the City, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of \$5.00 and if the new owner is not a City resident, the nonresident registration/user fee for the balance of the year shall be due from the new owner. If the registration is not transferred within ten

business days, a \$20.00 penalty will be applied in addition to the \$5.00 transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period.

B. Gasoline carts.

1. Every cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

- a. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.
- b. The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
- c. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.

1. It shall be unlawful for the owner of any cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, to render the device unserviceable by removal, alteration or which interferes with its operation.

2. Every two years, the cart must be inspected by a golf cart dealer holding a valid business license, and the dealer must certify that the exhaust system meets the standards as stated in this article. This certification must be presented to the City within ten business days following the end of each two-year period, and the registration shall be renewed for an additional two-year period at no charge. If the certification is not presented within ten business days, the gasoline cart shall be considered an unregistered cart.

3. All gasoline carts purchased on or after September 1, 1993, must have a dealer certification in order to be registered; and after September 1, 1995, no gasoline powered cart may be registered, renewed or transferred without dealer certification.

B. Rental carts. Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the recreation paths and streets and those areas accessible by the public of the City. Each such establishment renting carts shall be required to register each such rental cart in accordance with subsections (a) and (b) of this Section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a) and (b) of this Section.

C. Age, number of registrants limited. Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person.

- D. LSMV. No LSMV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the City unless it is legally registered and insured according to laws of the State.

(Ord. of 4-19-2005, § 2)

Section 66-31. Operation regulations.

- A. Those persons who are 16 years of age and older may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the City unless such person has had his license to operate a motor vehicle suspended or revoked by the State which issued said license in which case such person shall not be permitted to operate a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the City during the time of suspension or revocation.
- B. Those persons who are 15 years of age but not yet 16 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the City:
 - 1. If he does not have in his possession a valid instructional permit issued by the State pursuant to O.C.G.A. § 40-5-24, as maybe amended, and has not had his instructional permit suspended or revoked, then he shall be accompanied in the front seat by a person at least 18 years of age who holds a valid motor vehicle driver's license or he shall be accompanied in the front seat by a parent, grandparent or legal guardian; or
 - 2. If he has in his possession a valid instructional permit issued by the State pursuant to O.C.G.A. § 40-5-24, as may be amended, and is unaccompanied by a licensed driver as provided in subsection (b)(l) of this Section, or is unaccompanied by a parent, grandparent or legal guardian as provided in subsection (b)(l) of this Section, then he may be accompanied in the vehicle by up to one other person who must be at least 15 years of age, or he may be accompanied by up to three immediate family members.
- B. Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the City if they are accompanied in the front seat by a parent, grandparent or legal guardian.
- C. No person under the age of 12 shall be permitted to drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the City under any circumstances.
- D. All operators shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths, streets and those areas accessible by the public in the City. Where cart paths exist, they must be used in preference to parallel City streets.
- E. Motorized carts shall not be operated on sidewalks at any time.
- F. Motorized carts may be operated over those authorized streets, recreational paths and those areas accessible by the public only during daylight hours unless such motorized carts are equipped with functional headlights and taillights.

- G. No motorized cart shall be permitted to operate over, along, or across Highway 211 or Highway 8 within the boundaries of the City except where authorized crossings are provided.
- H. It shall be unlawful for the owner of any motorized cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart or LSMV to operate or permit the operator of any motorized cart or LSMV to drive over the recreational paths, streets or those areas accessible by the public in the City in violation of this article.
- I. Only persons possessing a valid license issued by the State, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the State may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the City.
- J. No LSMV shall be permitted to operate on, over, along, or across Highway 211 or Highway 8 within the boundaries of the City except where authorized crossings are provided. No LSMV shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour. Except as prohibited above, LSMVs shall be permitted.

(Ord. of 4-19-2005, § 3)

Section 66-32. Recreation path users-Authorized.

Authorized users of asphalt recreation paths and sidewalks are as follows:

1. Pedestrians;
2. No motorized vehicles;
3. Roller skates, roller blades and skateboarders (daylight only);
4. Registered electric-powered golf carts;
5. Registered gasoline-powered golf carts;
6. Emergency and authorized maintenance vehicles;
7. Bicycles, traditional and electric (as defined in Section 66-29);
8. Electric and conventional wheelchairs;
9. Electric vehicles designed to carry one person at a speed not to exceed 20 miles per hour except as prohibited in Section 66-33; and
10. LSMV provided that the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour.

(Ord. of 4-19-2005, § 4)

Section 66-33. Same-Prohibited uses.

Prohibited uses of recreation paths are as follows:

1. Automobiles and trucks (except authorized maintenance vehicles);
2. Motorcycles;
3. Street and trail motorized bikes or vehicles (not to include electric bicycles);
4. Minibikes and mopeds;
5. Horses;
6. Go-carts;
7. Un-registered electric-powered golf carts;
8. Un-registered gasoline-powered golf carts;
9. Electric or gasoline powered scooters;
10. Except as permitted in Section 66-32, any vehicle designed by the manufacturer to go faster than 20 miles per hour under its own power on a flat surface; and
11. Un-registered LSMV.

(Ord. of 4-19-2005, § 5)

Section 66-34. Hazardous activities and special rules.

- A. Paths are for transportation and public recreation by the various groups of permitted users. No individual or group shall engage in hazardous activities on the paths and streets and those areas accessible by the public. Such hazardous activities, and the special rules pertaining to them, include but are not limited to the following:
 1. Racing of any form, except for special events approved by the City; and
 2. Blocking of public access, except for special events approved by the City.
- B. None of the prohibited users in Section 66-33 shall use the path system or the bridges and/or their underpasses for any purpose whatsoever.
- C. Pedestrians, skaters and permitted vehicles shall not loiter or park on recreation path bridges or in underpasses.
- D. Normal rules of the road shall apply to the recreation paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side of the path.
- E. Pedestrians should be given due consideration and reasonable right-of-way by other users of the recreation paths to ensure them safe passage.
- F. A warning or announcement shall be given by operators of golf carts and other users of the recreation paths, such as bicyclists and skaters, when approaching pedestrians from the rear. This warning or announcement may be verbal, but it is recommended that bicyclists and golf cart operators equip their vehicles with a warning device such as a horn or bell. Each user of the recreation paths shall be considerate of the safety and welfare of other users, and dangerous conduct will not be tolerated.
- G. All laws and ordinances relative to alcohol and its use, including open container laws, which apply to traffic on the streets of the City, also apply to the recreation paths.

- H. All litter shall be deposited in the receptacles provided along the recreation paths or retained by the path user for proper disposal later. Littering on the recreation paths shall be subject to twice the fines and penalties as littering on the streets:
- I. All users of electric bicycles shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric bicycle on the recreational paths.
- J. No one under the age of 15 shall operate an electric bicycle on the recreational paths.
- K. Seat belts on LSMVs shall be worn by all occupants at all times the vehicle is moving.
 - 1. All operators and passengers must remain seated at all times during the operation of the golf cart. No person may sit on the operator's lap during the operation of the golf cart.

(Ord. of 4-19-2005, § 6)

Section 66-35. Liability.

Each person using the recreation paths is liable for his own actions. Liability insurance coverage varies, and each person operating a golf cart on the recreation paths and public streets and those areas accessible by the public should verify their coverage.

(Ord. of 4-19-2005, § 7)

Section 66-36. Penalties.

- A. Any person who violates the terms of this article, except Section 66-31(b), (c) or (d), shall be punished as provided in Section 1-11; except that any fine for a littering offense shall be doubled.
- B. Any violation of Section 66-31(b), (c), or (d) shall be charged against the registered owner of the motorized cart, and all fines and penalties shall be levied against the registered owner of the motorized cart as follows:
 - 1. For the first offense, a fine of not less than \$250.00.
 - 2. For the second offense, a fine of not less than \$500.00.
 - 3. For a third offense committed within one year of conviction for a second offense for a motorized cart, a fine of \$1,000.00, and the registered owner's motorized cart registration shall be revoked . The registered owner or family member cannot there after register a motorized cart for use in the City for a period of two years following the third conviction.
- C. Any violation by an operator of a LSMV shall be charged against the operator according to the provisions of Title 40 of the Official Code of Georgia Annotated and this Code. Any

violation by an owner of a LSMV shall be charged against the owner according to the provisions of Title 40 of the Official Code of Georgia Annotated and this Code.

(Ord. of 4-19-2005, § 8)