

ORDINANCE NO. 569

AN ORDINANCE FOR THE CITY OF MEXICO BEACH, FLORIDA; REPEALING ORDINANCE 516; CREATING ARTICLE 7, TRAFFIC CODE, CHAPTER 70, GOLF CARTS, IN THE CODE OF ORDINANCES ; PROVIDING FOR DEFINITIONS, RESTRICTIONS, AUTHORIZATION, HOURS OF OPERATION, COMPLIANCE WITH TRAFFIC LAWS, AND REGISTRATION; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of Mexico Beach believe that the improper use of golf carts can be a threat to the health and safety of its citizens;

WHEREAS, the proper use of golf carts can aid in the mobility of certain segments of the local population; and

WHEREAS, the proper use of golf carts can also reduce the negative impacts of automobiles.

THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA:

SECTION 1. The City Code, Article 7, City of Mexico Beach, Florida, is hereby amended by adding Chapter 70, to be titled "Golf Carts" as follows:

Chapter 70. Golf Carts

Section 70.01. Definition of Golf Cart. Pursuant to Section 320.01(22), Florida Statutes, a "golf cart" is defined as a motor vehicle that is designed and manufactured for operations on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour.

Section 70.02. Restriction to Golf Cart Modifications. All golf carts operated within the City of Mexico Beach shall meet the minimum equipment standards established by Florida State Statutes and have no increased power, wheel base or tire modifications from a standard manufactured gas or electric golf cart. Speed modified golf carts or "hybrid" golf carts are not authorized for use on City of Mexico Beach streets.

Section 70.03. Authorization to Operate Golf Carts within the City of Mexico Beach.

Golf carts meeting the definition set forth in Section 70.01 above and properly equipped meeting restrictions in Section 70.02 above, may be operated on those streets designated for cart usage.

- a. Permitted Designated Streets

1. All city streets located within the jurisdiction City of Mexico Beach, except 15th Street and State Route 30, commonly known as US Highway 98.
 2. All city streets located within subdivisions which traffic is enforceable providing they are approved for use by the subdivisions Homeowners Association and a written agreement has been entered with the City of Mexico Beach for traffic enforcement on subdivision streets. Any notice to rescind this use will be providing in writing.
 3. Golf carts operating on 15th Street must display a slow vehicle triangle sign visible from the rear of the golf cart.
- b. Non-permitted Streets.
1. Golf carts will not be permitted for use on 15th Street, US Highway 98 (SR 30). Golf carts may be permitted to cross 15th Street at the following intersections only: 5th Street, 7th Street, Robin Lane, and Wysong Lane. Crossing at the permitted intersections shall occur while obeying traffic laws and yielding right of way to other vehicular traffic. No golf carts are permitted to cross Highway 98 (SR 30).
 2. No golf cart is permitted along the right of way of 15th Street or US Highway 98 (SR30).
 3. No golf cart is permitted to ride on private property except that property owned by the same individual as the golf cart or without written consent of the owner. If the owner is present on property where a golf cart is being used, they are permitted to give verbal consent.
- c. The City of Mexico Beach shall provide signage designating streets or other areas where golf carts may be operated.
- d. Golf carts are not permitted to operate on city maintained side-walks located along US Highway 98.
- e. Violations of this section may be cited using the code enforcement citation. Fines for violation shall be \$50.00. Failure to pay citation within 30 days shall result in registration of the golf cart permit to be revoked until fine is paid, an additional late fee of \$25.00, and the violator may be found in civil contempt issued a notice to appear before the Special Master. The Notice to Appear shall serve as legal notice of the violation and the date of appearance must be more than 30 days after notice is given.
- f. Section 70.04. Hours of Operation. Golf carts will only be permitted on City streets from daylight hours. Golf carts for not permitted for operation on city streets during darkness. During times of fog, smoke, rain, and low light conditions golf carts must be equipped with headlights,

brake lights, turn signals, and a windshield. The City of Mexico Beach strongly recommends placement of reflective devices or reflective tape on the sides of all golf carts. Violations of this section may be cited using the code enforcement citation. Fines for violation shall be \$50.00. Failure to pay citation shall result in registration of the golf cart permit to be revoked until fine is paid, and the violator may be found in civil contempt found in civil contempt issued a notice to appear before the Special Master. The Notice to Appear shall serve as legal notice of the violation and the date of appearance must be more than 30 days after notice is given.

- g. Section 70.05. Compliance with Traffic Laws. Golf carts shall comply with all applicable local and state traffic laws, and may be cited for traffic violations in the same manner as motor vehicles. Drivers of such golf carts must have a valid driver license. Violations of this section may be cited using the code enforcement citation. Fines for violation shall be \$50.00. Failure to pay citation shall result in registration of the golf cart permit to be revoked until fine is paid, and the violator may be found in civil contempt found in civil contempt issued a notice to appear before the Special Master. The Notice to Appear shall serve as legal notice of the violation and the date of appearance must be more than 30 days after notice is given.

Section 70.06. Golf Cart Registration All golf carts operated on City of Mexico Beach streets must first be registered through the Mexico Beach Department of Public Safety. Registration must be made by the owner who is at least 18 years of age. The owner will be charges an annual registration fee of \$ 15.00. There will be no prorated registrations. Funds from the registration fees will support costs of street designation signs, police inspection of golf carts, and registration stickers, which are to be placed on the driver side rear fender area of the golf cart. All registrations must be renewed annually during January. Owners re-registering after January 31st of each year will be considered expired until they re-register and shall not be permitted for to use such golf cart(s) on designated city streets.

- a. Driving a golf cart without current registration:
 1. First Offense: \$50.00
 2. Second Offense: \$75.00
 3. Third Offense: \$150.00, registration revoked for 1 year
- b. Driving a golf cart with registration revoked shall result in a fine of \$250.00, and permanent revocation of registration by owner for any golf carts.
- c. If fines are paid within ten days of issuance, owner may register the golf cart at no additional costs. If the fines are paid after ten days, the owner must pay the fine and the registration costs. If the fines are not paid within 30 days of issuance, the city may seek an Order to Show Cause from a judge, and the violator may be found in civil contempt, to enforce this ordinance. found in civil contempt the violator may be issued a notice to appear before the Special

Master. The Notice to Appear shall serve as legal notice of the violation and the date of appearance must be more than 30 days after notice is given.

A list of all golf cart registrations shall be maintained by the Mexico Beach Department of Public Safety.

Section 2. Codification: It is the intention of the City Council of the City of Mexico Beach, Florida, and it is hereby ordained the provisions of this Ordinance become and be made a part of the City Code of the City of Mexico Beach, Florida; that the Sections of this ordinance may be renumbered or re-lettered to accomplish such intention; that the word "Ordinance" may be changed to "Section", "Article", or other appropriate wording.

SECTION 3. Conflict. All ordinances or regulations in conflict with the provisions herein are hereby repealed.

SECTION 4. Severability. It is the intent of the City Council that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

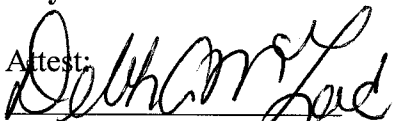
SECTION 5. Effective Date. This ordinance shall become effective, August 11, 2009.

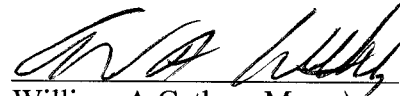
FIRST READING this July 14, 2009

SECOND READING AND ADOPTION this August 11, 2009.

City of Mexico Beach

Attest:


Deborah McCleod, City Clerk


William A Cathey, Mayor