

Chapter 76: Golf Cart

Section

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76.01 INTENT AND PURPOSE

The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town to promote the health, safety, and welfare of person(s) operating golf cart(s) within the Town and to protect the safety of their passengers and other users of roads. To this end the operation of golf carts must comply with applicable state laws and town regulations pertaining to the operation of traditional motor vehicles, and must also comply with the specific provisions included in this ordinance.

76.02 AUTHORITY TO REGULATE

Pursuant to N.C.G.S. § 160A-300.6, the town is authorized, by ordinance, to regulate the operation of golf carts on any public street, road, or highway within its municipal limits, or on any property owned or leased by the city, where the speed limit is 35 miles per hour or less

76.03 LIABILITY DISCLAIMER

This ordinance is adopted to address the interests of public safety. Golf carts are not designed, or manufactured to be used on public streets, and the town in no way advocates or endorses their operation on public streets or roads. The town, 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 a public street or public vehicular area is safe or advisable,

if done in accordance with this ordinance. All persons who operate or ride upon golf carts on public streets or public vehicular areas 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 has no liability under any theory of liability, and the town assumes no liability, for permitting golf carts to be operated on the public streets and public vehicular areas, under special legislation granted by the state's legislature. Any person who operates a golf cart is responsible for procuring liability insurance sufficient to cover the risk involved in using a golf cart on the public streets and public vehicular areas of the town.

76.04 DEFINITIONS

For the purposes of this subchapter, the following words and phrases shall have the following meanings:

1. CHIEF OF POLICE: The Town Chief of Police or designee.
2. TOWN: The Town of Princeton, North Carolina.
3. 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. N.C.G.S. § 20-4.01(12a).
4. ROAD: Any public street, road, or highway within the corporate limits of the town, open to the general public and whose posted speed limit is 35 mph or less.
5. OPERATE: To drive or be in physical control of a golf cart that is moving or has its engine on.
6. REGISTRATION PERIOD: July 1 through June 30 of each year.
7. 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.
8. OPERATOR: Only persons over 16 years of age may operate a golf cart on roads.

76.05 LIABILITY INSURANCE

No golf cart shall be operated on any public street within the town without liability insurance coverage being provided for that golf cart. Any person who owns a golf cart that is operated within the town shall be responsible for procuring liability insurance sufficient to cover the risk involved in operating a golf cart on public streets.

76.06 REQUIRED EQUIPMENT

Generally, in addition to all other requirements stated herein, all golf carts operated within the Town shall have the following equipment installed on them and the equipment shall be visible and/or operational at all times:

- (1) Headlamps which comply with N.C.G.S. § 20-129(b).
- (2) Rear lamps which comply with N.C.G.S. § 20-129(d).
- (3) Rear view mirror or side view mirrors, mounted on each side of the golf cart.
- (4) Seat belts (one per seat, a lap belt only, is required).
- (5) A parking brake.
- (6) A windshield.
- (7) Must be limited to a maximum of three (3) rows of seats.

76.07 REGISTRATION AND PERMIT REQUIREMENTS

(A) No golf cart shall be operated on any public street within the town or on any property owned or leased by the town unless the golf cart has first been permitted with the Town as required herein.

(B) All golf cart owners must complete a golf cart registration application and submit it to the Police Chief or designee prior to being eligible for an inspection.

(C) In order to register a golf cart and secure an annual permit for the Town, the owner and golf cart must meet the following basic requirements:

- (1) The owner must be at least sixteen (16) years old;
- (2) The owner must possess and maintain liability insurance in an amount not less than required by state law for traditional motor vehicles operated on public streets in the state;
- (3) The owner must provide proof of said liability insurance;
- (4) The owner must provide proof of ownership;

(5) The owner must pay a one-time application and registration fee of \$20.00 for the first registration. The owner must pay an annual registration fee of \$10.00 for each subsequent registration;

(6) The owner must have completed a Waiver of Liability, releasing the Town from liability;

(7) The golf cart must not have been modified to exceed a speed of 20 mph; and

(8) The golf cart must have an identifiable identification number;

(D) In order to register a golf cart with the Town, a golf cart must have all of the required equipment and safety features listed in subsection § 76.06.

(E) All fees will be submitted to the Town of Princeton prior to the issuance or renewal of the permit, along with the permit application itself. The golf cart shall be inspected by the Police Chief or designee for compliance with the provisions of this Ordinance. The registration and permit shall be renewed annually thereafter in accordance with the provisions of this article.

(F) Upon successfully passing an inspection, the golf cart will be assigned a registration card along with a decal or plate, which is valid for no more than one (1) year. All owners of registered golf carts are required to schedule annual inspections between May 01 and June 30 of each year. All permits will expire on June 30 of each year, provided however, it shall be lawful to operate a registered golf cart until July 15 of the year of expiration.

(G) Prior to the issuance of an initial permit or annual renewal the owner and will also sign an acknowledgment that he/she has read, understands, and will abide by the provisions of this article.

(H) Once registered, the registration card, along with the registration decal or plate, must be located on the golf cart, and available for review, at all times.

(I) Lost or stolen permits are the responsibility of the owner and must be replaced before the golf cart is operated on a public road. The Chief of Police will have the discretion in determining whether a Permit/Sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a Permit/Sticker, the Chief of Police may direct the applicant to reapply, and also resubmit any and all fees necessary, before a replacement Permit/Sticker is issued.

76.08 RULES AND REGULATIONS FOR OPERATION

1. Golf carts shall not be operated on or alongside a public road, street, or highway with a posted speed limit greater than 35 miles per hour (mph).

2. Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been transversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 mph or less. Golf carts 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. Golf carts must also cross the road only at controlled intersections.
3. 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 moto vehicles operated on public highways in the State of North Carolina.
4. Each golf cart operator must at all times have the following documents on the golf cart while it is in operation on public roads, streets, or highways: a. Golf cart registration card; b. Proof of liability insurance; c. Proof of ownership; and d. A completed Waiver of Liability, releasing the Town from liability that may arise as a result of operation of a golf cart inside the Town.
5. Any person who operates a golf cart must be at least sixteen (16) years of age or older.
6. Any person who operates a golf cart on public streets, roads, or highways must adhere to all applicable State and local laws, 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.
7. The operator of the golf cart shall comply with all applicable state and local laws, including all applicable traffic laws, which governs the operation of the motor vehicle.
8. 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 the golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
9. No golf cart may be operated in a careless or reckless manner. In no instance shall a golf cart be operated at a speed greater than reasonable and prudent for the existing conditions and in no instance at a speed of greater than 20 mph.
10. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
11. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
12. Seatbelts must be worn by all golf cart drivers and passengers while the golf cart is in motion.

13. Golf carts without lights may be operated only during daylight hours. Golf carts meeting the requirements set forth above in § 75.075(C) and registered for nighttime operation may operate from 5:00 a.m. to 11:00 p.m.

14. Any person who operates a Golf Cart in the Town of Princeton, and fails to receive or properly display a Town of Princeton Permit/Sticker will be subject to the state law requiring registration, insurance, and any other applicable laws, in addition to being in violation of this ordinance. Golf Carts will be subject to the traffic laws of North Carolina:

- (1) All operators must adhere to ALL LAWS that apply to normal vehicle operation, to wit: Stop Signs, Stop Lights, One-Way Streets, etc. All alcohol laws will also apply.
- (2) Golf Carts will adhere to all traffic flow patterns, and will operate on the right side of the roadway.
- (3) Golf Cart operators must yield the right of way to any overtaking vehicles.
- (4) Golf Carts shall not be operated on sidewalks.
- (5) Golf Carts shall not be operated on private property, without the permission and consent of the property owner

15. The operation of golf carts in the following circumstances is exempt, and is not subject to the provisions of this article:

- (1) The operation of golf carts on private property, with the consent of the owner;
- (2) The operation of golf carts on private streets; (3) The use of a golf cart in connection with a parade, a festival, or other special event provided the consent of the sponsor is obtained, the Chief of Police or designee is notified, and provided the golf cart is only used during such event; and
- (4) The use of golf carts by town personnel, other governmental agencies, and/or public service agencies on official business.

76.09 PENALTY

1. Any person violating the provisions of section 76.09 shall be subject to a civil penalty punishable by a fine issued in accordance with the town's annually adopted rates and fees schedule to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within 20 days after having been cited for violation of the ordinance. In accordance with G.S. 160A-175(b), a violation of the section enumerated herein shall not be subject to the penalty provisions of G.S. 14-4 and shall not be considered a breach of the penal laws of the state.

2. A violation of any remaining section of this chapter is a misdemeanor punishable in accordance with the provisions of G.S. 14-4. The fine for such violation shall not exceed \$50.00.

3. A violation of any remaining section of this chapter shall subject the offender to a civil penalty punishable by a fine issued in accordance with the town's annually adopted rates and fees schedule. If any person fails to pay a civil penalty within 20 days after being cited for a violation, the town may seek to recover the penalty in a civil action in the nature of debt.

4. The provisions of this chapter may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

5. Each day's continuing violation of any provisions of this chapter shall be a separate and distinct offense