

Motor Vehicles and Traffic Regulations – 70-12

AN ORDINANCE REGULATING THE OPERATION OF GOLF CARTS WITHIN THE TOWN LIMITS OF FAISON, N.C.

The Town Board of Commissioners of the Town of Faison, North Carolina, does ordain as follows:

Section 70-12 – 1 Authority to Regulate.

Pursuant to Session Law 2006-27 as enacted by the North Carolina General Assembly, the Town of Faison is authorized, by ordinance, to regulate the operation of golf carts on any public street or road within the Town of Faison.

Section 70-12 – 2 Liability Disclaimer

The following ordinance is adopted to address the interest of public safety. Most golf carts are not designed or manufactured to be used on public streets. The Town of Faison in no way advocates or endorses their operation on public streets. By establishing guidelines that regulate the use of golf carts, the Town is merely trying to address safety issues that may be pertinent to golf cart usage. The adoption of this ordinance 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 ordinance. 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.

Section 70-12 – 3 Definitions

For the purposes of this ordinance, the following definitions apply:

- (a) Golf Cart -a golf cart 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
- (b) Operate -to drive, or be in physical control of a golf cart on a public street.
- (c) Public Street -any public street or road within the corporate limits of the Town of Faison, open to the general public and Whose posted speed limit is 25 miles per hour or less. Cannot operate on US 117 or NC 403 except to cross at Intersections.
- (d) Town -the Town of Faison, North Carolina
- (e) Code Enforcement Officer -the Code Enforcement Officer of the Town or his designee

- (f) Registration Period –the golf cart must be registered within thirty (30) days of purchase.

Section – 70-12 – 4 Required Equipment

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

- (a) Slow moving vehicle warning sign attached to the rear.
- (b) Rear view mirror or side view mirrors, mounted on each side of the golf cart.

Section – 70-12 – 5 Registration

- (a) A golf cart registration fee of \$5.00 will be charged annually, due in July effective July 1, 2014, or as set by the Board of Commissioners from time to time. (July 2, 2014)

Section 70-12 – 6 General Operations

- (a) Golf carts may be operated only from one hour after sunrise to one hour before sunset, with the exception of golf carts meeting the requirements set forth below which may be operated at anytime.

Two (2) lighted lamps, one on each side of the front of the golf cart, visible under normal atmospheric conditions from a distance of at least 300 feet in front of such golf cart, and a red lamp on the rear, exhibiting a red light visible under like conditions from a distance of at least 200 feet to the rear of such golf cart.

- (b) Golf cart drivers shall be 16 years of age and have a valid driver's license or submit to and provide the results of an annual medical examination to determine their fitness to operate a golf cart on the public streets of Faison. June 4, 2014
- (c) Golf cart drivers shall stay on the far right of the road and shall yield to the right-of-way of overtaking vehicles.
- (d) No golf cart may be operated in a careless or reckless manner. 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 of greater than 20 miles per hour.
- (e) The maximum occupancy of a cart traveling on public streets shall be one person per seat. Persons may not ride in or on areas not designed as a seat. For example: the baggage/storage area that is typical on most golf carts shall not be used as a passenger area. On a bench type golf cart seat, you may Seat up to three people.
- (f) Golf carts shall be operated in accordance with all applicable state and local laws. Golf carts will be subject to the same right-of-way, maneuvering and

operating guidelines, as that apply to standard vehicles. Except as otherwise noted herein.

- (g) All applicable state laws concerning possession and use of alcoholic beverages or any other intoxicating substances shall also apply to golf cart drivers and passengers.
- (h) Golf Carts are prohibited from operating on any sidewalks.

Section 70-12 – 7 Exceptions

Any golf cart that complies with the requirements of state law, which make it a street legal golf cart and therefore eligible for usage on public streets as prescribed by law, shall be exempt from the requirements of this ordinance as they are regulated by North Carolina Motor Vehicle Laws.

Section 70 -12 – 8 Enforcement of Violations

- (a) Violation of the provisions of this ordinance shall be an infraction, the maximum penalty for which shall be fifty dollars (\$50.00). Notwithstanding the foregoing persons who, while driving golf carts on public streets within the Town , violate the “Rules of the Road” applicable to motor vehicles generally (as set forth in Part 10 of N.C.G.S. Chapter 20), shall be subject to the same penalties applicable to the operators of such other motor vehicles.
- (b) More than one violation of any of the provisions of this chapter within the same registration year as defined in Section 70-12-3 (f) may also result in the revocation of the golf cart registration that is assigned to that golf cart owner.
- (c) All provisions enumerated in Section 70-12-9 may be enforced through the authority granted in N.C.G.S. 160A-175. The Town may also, in addition, seek any and all appropriate equitable remedies, injunctions and/or abatement orders from the appropriate court of competent jurisdiction.
The provisions of this ordinance shall be in full force and effect, until changed or rescinded.
Adopted this 3rd day of December 2008.