



_____ Permit #

GOLF CART APPLICATION & INSPECTION

(\$25.00 FEE PERMIT)

All operators are required to be licensed pursuant to Texas Transportation Code §521.001 (3) and 521.021, as amended, and that all equipment required herein is installed and will be kept current during the registration period and proof of all insurance required.

The registration permit holder and any user shall indemnify and hold harmless the City of Mount Vernon, Texas for any and all civil liability associated with said registration waives any and all rights to sue or allow subrogation by insurance company.

NAME _____ PHONE # _____

ADDRESS _____

SIGNATURE _____ DATE _____

LOCATION OF CART _____ ELECTRIC _____ GAS _____

MAKE _____ MODEL _____

VIN/SERIAL# _____ COLOR _____ YEAR _____

DRIVER'S LICENSE NUMBER OF OWNER _____

INSPECTED BY: _____ DATE _____

- | | |
|----------------------------------|--------------------------------|
| _____ RECEIVED COPY OF ORDINANCE | _____ INSURANCE CARDS ATTACHED |
| _____ HEAD LAMPS | _____ PARKING BRAKE |
| _____ MIRRORS(REAR & SIDE) | _____ REFLECTORS |
| _____ TAIL LAMPS | _____ HORN |
| _____ BRAKE LIGHTS | |

_____ PASSED _____ FAILED

City of Mount Vernon

ORDINANCE NO. 2017-06

AN ORDINANCE OF THE CITY OF MOUNT VERNON, TEXAS ALLOWING THE OPERATION OF GOLF CARTS IN THE CITY ON CERTAIN CITY STREETS; REQUIRING SPECIFIED SAFETY EQUIPMENT, PROVIDING FOR OPERATIONAL REGULATIONS; PROVIDING DEFINITIONS, ENFORCEMENT, PROPER NOTICE, AND A FINE NOT TO EXCEED \$500.00 PER VIOLATION; AND CONTAINING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.

WHEREAS, Texas Transportation Code authorizes the governing body of a municipality to regulate and control the operation of golf carts within the city's legal boundaries and on its public streets to ensure the public safety of the community; and,

WHEREAS, Texas Transportation Code Section 551.403, as amended allows the operation of a golf cart on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operate: during the daytime; and not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course and in a master planned community that has in place a uniform set of restrictive covenants; and for which a county or municipality has approved a plat;

WHEREAS, Texas Transportation Code Section 551.404, as amended, allows in addition to the operation authorized by Section 551.403, that the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that is in the corporate boundaries of the municipality; and has a posted speed limit of not more than 35 miles per hour; provided that the municipality establishes specific requirements as set out in subsection (b); and

WHEREAS other statutes, including applicable portions of chapter 501, 502, 547, 601 and 663 of the Transportation Code authorizes the governing body of a municipality to regulate and enforce other standards of operation which may be particular to its unique situation, and,

WHEREAS, golf cart use can help to reduce overall emissions and their use is an eco-friendly or 'green' alternative to traditional passenger vehicles; and,

WHEREAS, golf carts are not normally equipped with many of the traditional safety features that are customarily required or found on more commonly-used motor vehicle;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, TEXAS:

Section 1. Findings: The findings and recitations set out above are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

Section 2. Definitions: When used in this ordinance the following terms are defined as follows:

City means the City of Mount Vernon,

Texas Driver's License means an authorization issued by the Department of Public Safety for operation of a motor vehicle. The term includes a temporary license or instruction permit and an occupational license.

Golf Cart shall have the meaning assigned by the Texas Transportation Code 502.001, as amended, and means a motor vehicle commonly referred to as a golf cart which must have a minimum of four wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course and in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles ("ATVs"), off-road vehicles, four-wheelers, Mules, Gators and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour.

Night Time shall have the meaning assigned by Texas Transportation Code 541.401(5) and means the period beginning one-half hour after sunset and ending one-half hour before sunrise.

Operate shall mean the driving of a golf cart. *Operator* means any person driving and having physical control over the golf cart.

Park or *parking* means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

Street means a public roadway of the City of Mount Vernon, Texas by whatever name (e.g., road, alley, avenue, highway, route, boulevard, etc.) that: (a) provides for no more than two lanes of vehicular traffic per direction; or (b) is not designated as part of either the state or federal highway system.

Section 3. Limited Operation:

- (a) Operation of a golf cart on a public street is prohibited if the operation is in violation of this chapter's requirements.
- (b) Golf carts may only be operated on public streets if the speed limit does not exceed thirty five (35) miles per hour.
- (c) Golf carts shall only be operated during the daytime. It shall be an affirmative defense that the golf cart is being operated during a special downtown event by an event coordinator or event volunteer."

- (d) It shall be illegal to operate a golf cart on any street that is designated as part of the state or federal highway system.
- (e) A golf cart may not operate on the following streets:
 - State Highway 37;
 - Spur 423;
 - State Highway 67
 - State Highway 115
 - Interstate 30, and north and south service roadsException: It shall be an exception to the prohibition and shall be legal to cross the above streets at intersections only.

Section 4. Operation / Regulations

- (a) All operators of golf carts on public roadways shall:
 - (1) be at least seventeen (17) years of age and licensed to operate a motor vehicle as provided by Texas Transportation Code, 521.021, as amended, and carry a valid driver's license as provided by Texas Transportation Code, 521.025, and all driver's license permissions and restrictions shall apply to the operating of a golf cart; abide by all traffic regulations applicable to vehicular traffic when operating a golf cart in the City;
 - (2) use appropriate signals to indicate a turn, and if the golf cart is not equipped with turn signals, the operator shall use standard hand signals for turning;
 - (3) not operate or park a golf cart on a sidewalk, pedestrian walkway, jogging path or park trail;
 - (4) not pull any object or person with a golf cart in a permitted location;
 - (5) not intentionally or knowingly allow an unlicensed or unregistered operator to operate a golf cart in violation of this chapter;
 - (6) not exceed the seating capacity of the golf cart as designed by the manufacturer;
 - (7) be restrained by a seat belt.
- (b) Operators and passengers shall remain seated at all times while the golf cart is in motion;

- (c) All passengers shall be:
 - (1) front facing;
 - (2) three (3) years old or older;
 - (3) if under the age of seven (7), be restrained by either an adult or by a seatbelt or appropriate car seat when the golf cart is in operation on a public street;
 - (4) If over the age of seven (7), be restrained by a seatbelt when the golf cart is in operation on a public street.
- (d) The total number of occupants, including all passengers and driver shall not exceed four (4) persons.
- (e) A golf cart that is operated in the City of Mount Vernon shall display a slow-moving-vehicle emblem when it is operated on a public roadway.
- (f) The operator of the golf cart must be insured by a policy of liability insurance providing coverage for operation of the golf cart in an amount not less than one hundred thousand dollars (\$100,000.00 per coverage).

Section 5. Required Equipment A golf cart must be equipped with the following equipment as mandated by the Texas Transportation Code, Section 551.404(a), as amended, and/or required by the City of Mount Vernon, Texas, to operate on permitted locations:

- (a) Reflectors;
- (b) Operational parking brake;
- (c) Mirror(s), including rear and side view mirrors;
- (d) Headlamps;
- (e) Tail lamps;
- (f) Turn signals;
- (g) Horn;
- (h) Brake lights;
- (i) Equipment and its installation must meet standards provided by Texas Transportation Code, as amended; and

- (j) All such safety equipment shall be maintained as required by state law.

Section 6. Registration Permit.

Before any golf cart may be operated over the authorized streets and parking areas of the City, it must be registered and provided a permit with the City of Mount Vernon. Registration for a registration permit will consist of an annual fee of \$25.00 which covers the administrative costs of such registration, to include a registration permit decal. The registration permit process includes the following specifics:

- (a) Applicant shall complete the City-supplied registration permit application form, which shall contain the:
- (1) Name and address of the Applicant owner.
 - (2) Location where the vehicle is regularly stored overnight.
 - (3) Model, make, name and golf cart identification number.
 - (4) Current driver's license number of owner.
 - (5) Statement that all operators are required to be licensed pursuant to Texas Transportation Code §§521.001(3) and 521.021, as amended, and that all equipment required herein is installed and will be kept current during the registration period and proof of all insurance required.
 - (6) Statement that the registration permit holder and any user shall indemnify and hold harmless the City of Mount Vernon, Texas for any and all civil liability associated with said registration waives any and all rights to sue or allow subrogation by insurance company.
 - (7) Other information which the City may require.
- (b) The registration permit application shall be:
- (1) Accompanied by a fee of \$25.00.
 - (2) Accompanied by proof of financial responsibility consistent with the minimum requirements of Texas Transportation Code §601.051, as amended, for operation of motor vehicles. Applicant owner must also show their original driver's license and shall provide copies of the both the owner's driver's license and proof of financial responsibility.
 - (3) Signed by the Applicant owner.
- (c) Upon issuance, the registration permit decal shall be attached and displayed upon the right front panel (driver's side) of the golf cart so as to be clearly visible.

- (d) The registration permit shall be effective for one year from the date of registration, or such time as revoked or the golf cart is transferred to a new owner.

Section 7.Revocation.

The registration permit may be revoked if:

- (a) The owner or driver of a golf cart fails to abide by the rules and regulations of this chapter
- (b) The owner or driver of a golf cart fails to abide by the traffic laws and the use of a golf cart on any authorized street or parking area
- (c) The owner fails to maintain proof of financial responsibility during the entire permit registration period.

Section 8.Transfer.

The registration permit is not transferable. Upon transfer of ownership of the golf cart to a person who intends to operate it over authorized streets and parking areas, the new owner must register the golf cart and pay the registration permit fee as outlined hereinabove in Section 6.

Section 9.Penalty: Any person who violates this chapter shall be guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00).

Section 10.Effective Date. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

Section 11. Proper Notice and Meeting This ordinance was adopted at a regularly scheduled meeting held in compliance with the Texas Open Meetings Act at which a quorum of the City Council was present and voting.

Section 12. Severability Should any portion or part of this ordinance be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.


PASSED AND APPROVED THIS THE 12th day of June, 2017.

CITY OF MOUNT VERNON, TEXAS



Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



L. Stanton Lowry, City Attorney