

## § 71.17 OPERATION OF GOLF CARTS ON PUBLIC STREETS AND ROADS.

(A) *Authority to regulate.* Pursuant to G.S. § 160A-300.6, as enacted by the North Carolina General Assembly, the village is authorized, by ordinance, to require the registration of, and regulate the operation of golf carts upon any public street or road within the village.

(B) *Operation on public streets and roads.* It is unlawful to operate a golf cart on a public street or road within the village unless the following requirements are met.

(1) The golf cart may only be operated on streets and roads that meet the requirements below:

(a) Golf carts may not be operated on or alongside a public road or street with a posted speed limit greater than 35 miles per hour;

(b) Golf carts may not operate on or alongside NC 211 within the corporate limits, or on or alongside US 15-501 within the corporate limits. Golf carts may only cross NC 211 and US 15-501 at signalized intersections in the corporate limits;

(c) Golf carts may cross directly over, but may not operate on or alongside NC 5, NC 2, Morganton Road, Page Road and Linden Road in the corporate limits; and

(d) Golf carts may not operate in the hospital zoning district (HD) or on or alongside of Page Drive, Aviemore Drive, Memorial Drive or Regional Drive.

(2) No person may operate a golf cart unless that person is licensed to drive upon the streets and highways of North Carolina and then, only in accordance with the driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public streets and roads in the corporate limits.

(3) Only the number of people the golf cart is designed to seat may ride on a golf cart, specifically passengers shall not be carried on the part of a golf cart designed to carry golf bags.

(4) 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 greater than 20 miles per hour.

(5) No golf cart may be operated in a careless or reckless manner.

(6) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.

(7) Golf carts may be operated only during daylight hours, with the exception of golf carts meeting the requirements set forth below: Two lighted lamps, one on each side of the front of the golf cart, or a front-mounted halogen light bar specifically designed for cart use, visible under normal atmospheric conditions from a distance of at least 300 feet in front of the golf cart, and two red lamps on the rear, one on each side, exhibiting a red light visible under like conditions from a distance of at least 200 feet to the rear of the golf cart.

(8) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.

(9) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Rear view or side view mirrors are required. Lights are required if the vehicle is to be operated at any time before sunrise or after sunset, as provided in division (B)(7) above. Golf carts may cross directly over village streets but may not operate on or alongside village streets unless they display current, valid, village-issued stickers, placed on the front and rear of the cart.

(10) Golf carts may not be used as a taxicab or bus or for the commercial carrying of passengers or the hauling of freight.

(11) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles or in parking spaces specifically dedicated for golf cart parking.

(C) *Streets and roads approved for use.* Golf carts authorized for use under the provisions of this section may be operated in the village on public streets and roads only within the corporate limits of the village.

(1) Golf carts shall not be operated on or across any public or private properties without the permission of the property owner.

(2) During an emergency situation or at a special event, any police officer supervising or controlling traffic may direct that golf carts be operated on or upon other locations.

(D) *Liability disclaimer.* This section is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the village in no way advocates or endorses their operation on public streets or roads. The village, by regulating this operation is addressing obvious safety issues, and adoption of this section is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon golf carts on public streets or roads 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 village has no liability under any theory of liability and the village assumes no liability, for permitting

golf carts to be operated on the public streets and roads under the special legislation granted by the state legislature.

(1986 Code, § 7-4.4) (Ord. 08-19, passed 07-22-2008; Ord. 10-19, passed 05-11-2010; Ord. 10-31, passed 06-08-2010; Ord. 10-45, passed 08-24-2010; Ord. 10-58, passed 11-16-2010; Ord. 12-02, passed 01-24-2012; Ord. 14-38, passed 10-28-2014; Ord. 15-23, passed 12-08-2015) Penalty, see § 71.99