

ORDINANCE #10-45:

AN ORDINANCE AMENDING CHAPTER VII OF THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO THE REQUIREMENTS OF GOLF CARTS OPERATED ON PUBLIC ROADS IN THE VILLAGE OF PINEHURST.

THAT, WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

WHEREAS, the Municipal Code has been subsequently amended from time to time as conditions warrants; and

WHEREAS, the Village Council of the Village of Pinehurst finds that allowing for the use of golf carts on public streets should be done in the safest means possible;

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in work session assembled this 24th day of August, 2010 as follows:

SECTION 1. That Chapter VII of the Pinehurst Municipal Code is hereby amended by adding Section 7-4.4b.1d, altering 7-4.4b.9, eliminating 7-4.4b.10 and adding a new 7-4.4b.10 and 7-4.4b.11 and altering Section 7-4.4e as follows:

7-4.4 Operation of Golf Carts on Public Streets and Roads.

b. Operation on Public Streets and Roads. It is unlawful to operate a golf cart on a public street or road within the Village of Pinehurst unless the following requirements are met:

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

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

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 Section (7). Golf carts **must may cross directly over Village streets but may not operate on or alongside, Village streets unless they** display a current, valid stickers, placed on the front and rear of the cart annually by an issuer authorized by the Village of Pinehurst.

~~10. Golf carts may only be operated on Village streets and roads in the corporate limits when the purpose for such travel is for transport to and from, and play on a golf course in the corporate limits of Pinehurst, operated in business areas that can be traversed to on allowable Village streets and crossings, or operated in~~

~~conjunction with a parade being conducted pursuant to a valid temporary use permit issued by the Village of Pinehurst. Business areas shall consist of areas within commercially zoned districts within the Village of Pinehurst corporate limits.~~

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

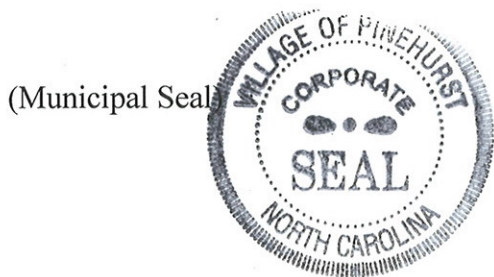
11. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles or in parking spaces specifically dedicated for golf cart parking.

e. Liability Disclaimer. This ordinance 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 of Pinehurst in no way advocates or endorses their operation on public streets or roads. The Village, by regulating such operation is addressing obvious safety issues, and adoption of this ordinance is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this ordinance. 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 of Pinehurst 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's legislature. ~~Any person who operates a golf cart is responsible for procuring liability insurance providing coverage in the amount of not less than \$300,000 per occurrence to cover the risk involved in using a golf cart on the public streets and roads.~~

SECTION 2. That all local ordinances in conflict herewith are hereby repealed and declared null and void from and after the date of the adoption of this ordinance.

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

THIS ORDINANCE passed and adopted this 24th day of August, 2010.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: *Virginia F. Fallon*
Virginia F. Fallon, Mayor

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

Approved as to Form:
Michael J. Newman
Michael J. Newman, Village Attorney