

CITY OF LOG CABIN, TEXAS

ORDINANCE 95C

STATE OF TEXAS

COUNTY OF HENDERSON

AN ORDINANCE OF THE CITY OF LOG CABIN, TEXAS REPEALING ALL PREVIOUS ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS WITHIN THE CITY; DEFINING AND ESTABLISHING THE USE OF GOLF CARTS ON CITY ROADWAYS; PROVIDING FOR ALL OPERATOR REQUIREMENTS AND REQUIRED EQUIPMENT ON GOLF CARTS OPERATED WITHIN THE CITY LIMITS OF LOG CABIN; PROVIDING EXCLUSIONS AND PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOG CABIN, TEXAS:

SECTION 1: DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply unless context clearly indicates or requires a different meaning. (Definitions of vehicles are taken from Texas Transportation Code Section 5.02.001 and Section 551.301.)

A. All-terrain Vehicle – a motor vehicle that is: (A) equipped with a seat or seats for the use of: (1) the rider; and (2) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger; (B) designed to propel itself with three or more tires in contact with the ground; (C) designed by the manufacturer for off-highway use; (D) not designated by the manufacturer primarily for farming or lawn care; and (E) not more than 50 inches wide.

B. City- The City of Log Cabin, Texas.

C. Golf Cart – a motor vehicle designed by the manufacturer primarily for use on a golf course.

D. Neighborhood Electric Vehicle – a vehicle that can attain a maximum speed of 35 miles per hour on a paved level road and otherwise complies with Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500)

E. Recreational off-highway vehicle – a motor vehicle that is: (A) equipped with a seat or seats for the use of: (1) the rider; and (2) a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers; (B) designed to propel itself with four or more tires in contact with the ground; (C) designed by the manufacturer for off-highway use by the operator only; and (D) not designed by the manufacturer primarily for farming or lawn care.

F. Owner – a person who: (A) holds the legal title of a motor vehicle; (B) has the legal right of possession of a vehicle; or (C) has the legal right of control of a vehicle.

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G. Person - An individual person, firm, corporation, or association.

H. Street - Any public street, alley, public place, square, or highway within the corporate limits of the city.

SECTION 2: GOLF CART / NEIGHBORHOOD ELECTRIC VEHICLE REQUIREMENTS

1. Every person who owns/operates a golf cart or neighborhood electric vehicle on a public roadway shall be required to hold a valid Drivers License issued by the State in which the operator resides and provide it to any Law Enforcement Officer upon request.
2. Golf Cart / Neighborhood Electric Vehicle Required Equipment:
 - a. Headlamps;
 - b. Tail-lamps;
 - c. Reflectors;
 - d. Parking Brake;
 - e. Mirrors; and
 - f. Proof of Liability Insurance.

SECTION 3: OPERATION

Golf carts and neighborhood electric vehicles are limited to City Streets with a posted speed limit of 20 miles per hour or less. Operation of golf carts/neighborhood electric vehicles on FM 3054 and SH 198 is prohibited.

SECTION 4: CROSSING CERTAIN ROADWAYS

A golf cart or neighborhood electric vehicle may cross **at intersections**, including roadways that exceed 35 miles per hour (FM 3054 & SH 198).

SECTION 5: ALL-TERRAIN VEHICLES – RECREATIONAL OFF-HIGHWAY VEHICLES

1. A person may not operate an all-terrain vehicle or a recreational off-highway vehicle on a public roadway. A person may not operate an all-terrain or recreational off-highway vehicle on public property unless the person:
 - a. Holds a safety certificate issued under Chapter 663 of the Texas Transportation Code;
 - b. Is taking a safety training course under the direct supervision of a certified all-terrain vehicle safety instructor; or
 - c. Is under the direct supervision of an adult who hold a safety certificate issued under Chapter 663.

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(1) A person to whom a safety certificate has been issued shall:

- a. Carry the certificate when the person operates an all-terrain or recreational off-highway vehicle on public property; and
- b. Display the certificate at the request of any law enforcement officer.

2. A person may not operate, ride, or be carried on an all-terrain or recreational off-road vehicle unless the person wears:

- a. A safety helmet that complies with United States Department of Transportation standards; and
- b. Eye protection.

SECTION 6: CROSSING CERTAIN ROADWAYS (ALL-TERRAIN / RECREATIONAL OFF-HIGHWAY VEHICLES)

1. The operator of an all-terrain or recreational off-road vehicle may drive the vehicle across a public street, road, or highway if the operator meets all the previous requirements, and:
 - a. Brings the vehicle to a complete stop before crossing the shoulder or main traveled way of the roadway;
 - b. Yields the right-of-way to oncoming traffic that is an immediate hazard; and
 - c. Makes the crossing:
 1. At an angle of approximately 90 degrees to the roadway;
 2. At a place where no obstruction prevents a quick and safe crossing; and
 3. With the vehicle's headlights and taillights lighted.

SECTION 7: EXEMPTIONS TO ALL-TERRAIN/RECREATIONAL OFF-HIGHWAY VEHICLES

This Ordinance does not apply to the operation of an all-terrain or recreational off-highway vehicle, golf cart, or neighborhood electric vehicle that is owned by the State, County, or by a municipality by a person who is an authorized operator of the vehicle.

1. A peace officer may operate an all-terrain or recreational off-highway vehicle on a public street, road, or highway if:
 - a. The transportation is in connection with the performance of the officer's official duty;
 - b. The officer attaches to the back of the vehicle on top of an eight-foot long pole a triangular orange flag;
 - c. The vehicle's headlights and taillights are illuminated;
 - d. The officer holds a valid Drivers License; and
 - e. The operation of the vehicle does not exceed 25 miles from the point of origin to the destination.

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SECTION 8: PENALTY

A. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed \$500 for each offense. Each violation committed constitutes a separate offense.

This Ordinance, Number 95-C, is duly enacted by the City of Log Cabin, Texas pursuant to the general laws and Constitution of the State of Texas. This ordinance shall take effect after its passage and publication as required by law.

Passed and Approved this 19th day of September, 2013.



Lawrence Nolan, Mayor

ATTEST:



Pat Hayes, City Secretary