

AN ORDINANCE ADOPTING AN ORDINANCE OF THE CITY OF SHINER, TEXAS, IN REGARD TO USE OF GOLF CARTS ON STREETS AND ROADS IN THE CITY OF SHINER, TEXAS, AND ESTABLISHING A PENALTY OF A FINE FOR VIOLATIONS.

WHEREAS, the City has received requests from citizens desiring to use golf carts on streets and roads in the City; and

WHEREAS, Chapter 551 of the Texas Transportation Code contains provisions relating to regulation of use of golf carts within city limits by municipalities; and

WHEREAS, use of golf carts may reduce overall vehicle emissions and use of golf carts is an environmentally friendly alternative to use of traditional passenger vehicles; and

WHEREAS, golf carts are not usually equipped with certain safety features required or typically found on automobiles or other motor vehicles; and

WHEREAS, the City Council of the City of Shiner, Texas, believes that it would be in the best interest of the City and its citizens to allow use of golf carts on streets and roads in the City for which the posted speed limit is not more than 35 miles per hour, provided that the golf cart and operator of the golf cart are in compliance with the provisions of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHINER, TEXAS, that:

Section 1. The Code of Ordinances of the City of Shiner, Texas, be and said Chapter is hereby amended to add this Ordinance concerning operation of golf carts in the City of Shiner, Texas.

ARTICLE ____ . GOLF CARTS

Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Golf cart” means a motor vehicle designed by the manufacturer primarily for use on a golf course. Specifically excluded from this definition of golf carts are those motorized conveyances commonly referred to as all-terrain vehicles, off-road vehicles, four-wheelers, Mules, Gators, and any vehicles which have been altered to allow them to travel at a speed greater than 25 miles per hour.

"Operator" means the person driving and having physical control over a golf cart.

"Owner" means the person holding title to the golf cart.

"Street" means a public roadway of the City of Shiner, Texas, whether called a road, alley, avenue, highway, route, boulevard, street, or other description, that:

- (a) has a posted speed limit of 35 miles per hour or less;
- (b) provides for no more than two lanes of vehicular traffic per direction; or
- (c) is not designated as part of either the state or federal highway system.

Golf Cart Operation Permitted.

(a) Provided that the golf cart is equipped as set out in section "Required equipment for golf carts", and provided that the golf cart is operated in accordance with all provisions set out in section "Operational Regulations", and except for those streets set out in section "Streets where golf carts are not permitted", a golf cart may be operated on streets within the City of Shiner, Texas, that have a posted speed limit of 35 miles per hour or less, that provide for no more than two lanes of vehicular traffic per direction, and are not designated as part of either the state or federal highway system.

(b) A golf cart may also be operated for transportation to or from a golf course, during the daytime, and not more than two miles from the location where the golf cart is usually parked, on streets for which the posted speed limit is not more than 35 miles per hour.

Streets where golf carts are not permitted.

Golf carts are not permitted to be operated on any streets in the City of Shiner, Texas where the posted speed limit exceeds 35 miles per hour.

Required equipment for golf carts.

- (a) A golf cart must be equipped with the following minimum equipment:
 - (1) Operational head lamps;
 - (2) Operational tail lamps;
 - (3) Side reflectors;
 - (4) Operational parking brake;
 - (5) Rear view mirror or mirrors;
 - (6) Slow moving vehicle sign having a reflective surface designed to be clearly visible in daylight or at night from the light of standard head

- lamps at a distance of at least 500 feet and mounted base down on the rear of the golf cart at a height from 3 to 5 feet above the road surface and maintained in a clean, reflective condition; and
- (7) Horn in good working condition that emits a sound audible under normal conditions at a distance of at least 200 feet.

Operational Regulations.

- (a) All operators of golf carts must be licensed to operate a motor vehicle and carry a valid driver's license;
- (b) All operators of golf carts shall obey all traffic regulations applicable to vehicular traffic;
- (c) Golf carts shall not be operated on sidewalks;
- (d) The operator of a golf cart operating the golf cart on a street may cross a street where golf cart operation is prohibited but otherwise may not operate a golf cart on any street where operation of a golf cart is prohibited;
- (e) Golf carts may not pull trailers or other objects or people;
- (f) The seating capacity of the golf cart as designed or designated by the manufacturer of the golf cart shall not be exceeded;
- (g) The operator of the golf cart and all passengers in the golf cart shall be seated at all times while the golf cart is in motion;
- (h) Golf cart passengers under the age of 8 shall be restrained by either a person over the age of 17 or by a seat belt at all times while the golf cart is in motion;
- (i) Operators of golf carts shall maintain financial responsibility as required for passenger vehicles by the provision of the Texas Transportation Code;
- (j) Golf carts shall be parked in compliance with all state and City regulations;
- (k) Golf carts shall not be operated when visibility is impaired due to (1) inclement weather or other conditions, or (2) insufficient light to clearly see persons or vehicles on the street at a distance of 500 feet.

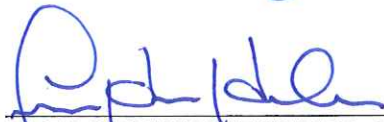
Penalty.

Any person violating any provision of this Article within the city limits shall, upon conviction, be punished by fine not to exceed five hundred dollars (\$500.00). A person may be convicted of violations of more than one provision of this Article for offenses occurring at the same time. Prosecution or conviction under this Article shall not be a bar to other remedies of

relief for violations of this Article or other law.

Section 2. This ordinance shall be effective one day after publication of this ordinance or of the caption to this ordinance in the official newspaper of the City of Shiner, Texas.

PASSED AND APPROVED this 4th day of February, 2019.



FRED HENRY HILSCHER, Mayor

ATTEST:



NATALIE FRICK, City Secretary