

Golf Cart Ordinance of Polk County, North Carolina

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts, are not designed or manufactured to be used on public streets, roads and highways, hereinafter "road(s)," and the County in no way advocates or endorses their operation on roads. The County, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on 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 County has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the County.

(A) **PURPOSE:** The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the County to promote the health, safety and welfare of persons operating cart(s) within the County and to protect the safety of their passengers and other users of roads.

(B) **DEFINITIONS:** For the purpose of this section, the following words and phrases shall have the following meanings.

1. **Golf Cart:** A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 MPH. G.S. 20-4.01(12a).
2. **Driver's License:** A valid license issued to operate a motor vehicle issued by North Carolina or any other state.
3. **Financial Responsibility:** Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. **Operator:** Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.

Section 1: Rules and Regulations

This ordinance is to establish guidance in the interest of public safety. Golf carts hereinafter:

1. Golf carts shall only be operated on public roads or streets approved for such use by the County and shall not be operated on or alongside a public road or street with a posted speed limit greater than 35 miles per hour. The County will consider approving certain public roads or streets for golf cart use only for those public roads or streets with a posted speed limit of 35 miles per hour or less upon receipt of an application to approve a public road or street for golf cart use. As of the effective date of this Ordinance, only those sections of Green River Cove Road and Blanton Street where the posted speed limit is 35 miles per hour or less is approved for golf cart use.
2. Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been transverse, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 mph or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e. no riding along a road or crossing at an angle. Under no circumstance is a golf cart allowed to

cross a control access facility other than at bridges which cross over or under a control access facility.

3. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. Any person who operates a golf cart must be at least sixteen (16) years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid 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 roads.
5. Any person who operates a golf cart on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.
6. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the County which governs the operation of motor vehicles.
7. An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
 - a. In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.
8. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
9. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
10. Golf carts must have basic equipment, including a vehicle identification or serial number. Such equipment must include all safety devices, including rear view mirror and a low speed caution triangle with a minimum size of 12 inches or greater on all three sides that shall be made of reflective material. The triangle shall be mounted on the rear of the vehicle and permanently installed. In addition to the manufacturer installed equipment, golf carts must have the following safety features:
 - a. one (1) reflector per side (reflectors must be at least 3 inches in width),
 - b. a parking brake,
 - c. seat belts for all seating positions,
 - d. a windshield, and
 - e. the cart is limited to a maximum of three rows of seats.
11. Golf carts without headlights may only be operated only during daylight hours from ½ hour after sunrise to ½ hour before sunset.

12. If the golf cart is not equipped with brake lights and/or mechanical turn signals, the operator must use standard hand signals to signal stopping or turning.
13. Golf Carts may not be operated when fog, smog, smoke or other conditions reduce visibility so that the golf cart is not visible for a distance of two hundred and fifty (250) feet.
14. No golf cart shall operate on any street, roadway, or other public vehicle area that is closed due to special events, parades, or construction. The Sheriff, or his designee, may prohibit the operation of golf carts on any street or road if the Sheriff determines that the prohibition is necessary in the interest of safety.
15. Golf carts may not be operated on any sidewalk, multi-use path, or designated bicycle path, except for golf carts operated by governmental or public service agencies for official purposes.
16. Golf carts may not be used for the purpose of towing another cart, trailer, wagon or vehicle of any kind, including a person on roller skates, skateboard, or bicycle.
17. Disqualified Vehicles. All-terrain vehicles, 4-wheel utility vehicles, go-karts, and other similar utility vehicles which are not manufactured for operation on a golf course, and/or a golf cart which has been modified so that it no longer meets the definition of golf cart may not be registered as a golf cart under this article nor shall such vehicles be operated on the public roads, streets, and highways within the County, unless such vehicles are registered and permitted under the motor vehicle laws of North Carolina.

Section 2: Registration, Inspection and Fee Prior to Usage

1. All golf carts must complete a golf cart registration application and submit together with an initial registration and inspection fee of \$100 to County Tax Department for approval. Before driving on public roads, the operator of a golf cart must have a valid issued registration.
2. Each owner must have proof of ownership, and liability insurance, and a completed Waiver of Liability, releasing the County from liability that may arise as a result of operation of a golf cart inside County. These documents must be in the golf cart at all times while in operation on public roads.
3. All golf carts must meet the requirements or minimum standards of safety equipment as set forth above in this Ordinance.
4. All golf cart operators must present a valid driver/s license while operating a golf cart on a public road.
5. Golf cart registrations shall expire on June 30 of each year. A current registration Permit/Sticker must be visible on a golf cart operated on a public road. The fee for renewal of golf cart registration stickers shall be \$75.
6. Lost or Stolen Permit/Stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.

Section 3: Enforcement

Violation of the provisions of this Ordinance shall constitute an infraction in accordance with Chapter 20 of the North Carolina General Statutes, the maximum penalty for which shall be (\$50) dollars. (Enforcement Violation of the provisions of this Ordinance shall be punishable with a civil penalty in an amount set out in the fee schedule and maintained at County.) The County may refuse to register and issue a permit, or revoke an issued permit, for the operation of a golf cart if the application contains any material misrepresentation. Any person who knowingly allows an underage driver to operate a golf cart shall have their permit revoked. In addition, the County may also revoke a previously issued permit for allowing an underage driver to operate a golf cart on public streets. The County may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit, if equipment required by this Article, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number removed. The County may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit.

Section 4: Appeals

Appeals from enforcement of this Ordinance shall be heard by the Board of Adjustment. Appeals shall be filed with the Clerk to the Board of Adjustment within 30 days from the date of the adverse action.

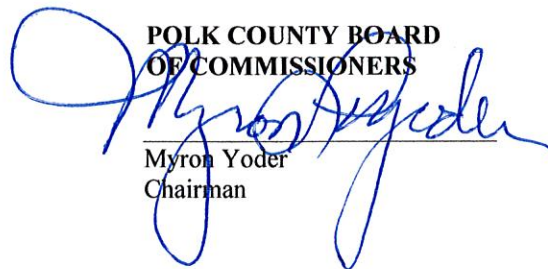
Section 5: Effective Date

These rules and regulations shall be in full force and effective from and after November 1, 2020. (This document was originally adopted July1,2018)

Approved this 19th day of October, 2020.

ATTEST:


Ange' High
Clerk to the Board

**POLK COUNTY BOARD
OF COMMISSIONERS**

Myron Yoder
Chairman