



TOWN OF NORTHLAKE, TEXAS
OFFICIAL ORDINANCE

No. 20-0813B

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, TOWN OF NORTHLAKE, TEXAS; CHAPTER 11, TRAFFIC AND VEHICLES, ADDING ARTICLE 11.06, GOLF CARTS; PROVIDING FOR THE OPERATION OF GOLF CARTS ON CERTAIN ROADWAYS IN THE TOWN; PROVIDING A PENALTY; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 551 of the Texas Transportation Code authorizes a golf cart to be driven on city streets in certain circumstances; and

WHEREAS, the Transportation Code requires that a golf cart comply with certain requirements if it is driven on roadways within the Town; and

WHEREAS, the Town Council hereby finds and determines pursuant to the Transportation Code that golf carts should be permitted to operate on Town roadways only in certain specifically defined circumstances and only if certain equipment requirements are met as set out herein; and

WHEREAS, the Town Council finds that the provisions adopted herein regulating use of golf carts within Town limits are in the best interest of the Town of Northlake and will promote the health, safety, and general welfare of the citizens of the Town of Northlake and the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS THAT:

SECTION 1. Chapter 11, "Traffic and Vehicles," of the Code of Ordinances, Town of Northlake, Texas is hereby amended to add Article 11.06, "Golf Carts," to read as follows:

ARTICLE 11.06 GOLF CARTS

Sec. 11.06.001 Applicability

- (a) The provisions of the article shall apply to all golf carts operated upon a public street or public golf cart path within the town except as set out in subsection (b) herein
- (b) The operation of a golf cart is not subject to the provisions of this article in the following circumstances:



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- (1) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner;
- (2) The operation of golf carts within gated or limited access communities; or
- (3) The use or operation of a golf cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.

Sec. 11.06.002 Definitions

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

Driver. The person driving and having the physical control over a golf cart.

Driver License. An authorization by a state for the operation of a motor vehicle. The term includes: (1) A temporary license or instruction permit, must have someone at least 18 years of age with a valid license accompanying person with instruction permit; and (2) An occupational license.

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

Owner. The person holding title to the golf cart.

Parking Area. Those areas accessible to the public by motor vehicle vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

Public Safety Personnel. Any employee or officer of a governmental law enforcement agency or fire department or people serving as volunteers for the governmental agency while performing volunteer duties.

Public way or public property. Real property owned, leased or controlled by a political subdivision of the state, a governmental entity or agency, or a similar entity, or any property that is publicly owned and maintained or dedicated to public use, including but not limited to a path, trail, sidewalk, alley, street or highway, and a public park facility.



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Public Street. A publicly owned or dedicated road, street, alley, or other right-of-way for the use of vehicles within the Town's corporate boundaries.

Sidewalk. The portion of a street that is between a curb or lateral line of a roadway and adjacent property line and intended for pedestrian use.

Slow-moving vehicle emblem. A triangle emblem that conforms to standards and specifications adopted by the director of the Texas Department of Transportation pursuant to Texas Transportation Code Section 547.104 and or displayed in compliance with the Texas Transportation Code Section 547.703.

Texas Transportation Code. The code as it currently exists or may be amended.

Sec. 11.06.003 Permitted and Restricted

- (a) No person, other than public safety personnel or volunteers in an official capacity for public safety, may operate a golf cart on a public street and/or parking area unless the person complies with the following:
- (1) The maximum speed limit on the public street on which a golf cart is operated is thirty-five (35) miles per hour or less;
 - (2) The person has been issued and possesses, on their person, a valid driver's license;
 - (3) The person maintains and possesses current financial responsibility relating to operation of the golf cart as required for the operation of passenger vehicles in accordance with Texas Transportation Code Section 601.051 or other liability insurance relating to operation of a golf cart that provides substantially the same coverage and with limits not less than those required by Texas Transportation Code Section 601.051 while operating the golf cart;
 - (4) The person complies with all applicable federal, state, and local laws and ordinances applicable to the operating and equipping of a golf cart including displaying a license plate issued under Texas Transportation Code Section 551.402;
 - (5) The golf cart being operated by the person is equipped, in accordance with section 551.4041 of the Texas Transportation Code and each of the following, which must continuously remain in good working and operational order;



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- (A) Two (2) headlamps;
 - (B) Two (2) tail lamps;
 - (C) Turn signals visible from both the front and rear of the vehicle;
 - (D) Side reflectors two (2) front, amber in color and two (2) rear, red in color; parking brake;
 - (E) Rearview mirror(s), capable of a clear, unobstructed view of at least two hundred feet (200') to the rear; and
 - (F) Slow-moving vehicle emblem located on the rear of the vehicle.
- (6) The golf cart being operated otherwise complies with all applicable state and federal motor vehicle safety standards, as they exist or may be amended; and
- (7) While the golf cart is in motion, the driver and every passenger are seated. No person may stand or ride in the lap of the driver, and/or another passenger of a golf cart while it is being operated on a public road.

Sec. 11.06.004 Additional operational regulations for all golf carts

- (a) Except for public safety personnel or as provided by other ordinances, no person shall operate a golf cart on or within any public park, public sidewalk, public pedestrian walkway, public jogging path, public park trail or any other location on publicly owned or controlled property normally used for pedestrian traffic.
- (b) The driver shall move the golf cart to the right of the public street and yield the right-of-way to faster moving vehicles.
- (c) The driver shall not overtake and pass in the same lane occupied by the vehicles being overtaken.
- (d) No driver shall operate a golf cart between the lanes of traffic, or between adjacent lines or rows of vehicles.
- (e) A driver operating a golf cart on a public street shall cross a multi-lane federal, county or state route only at an intersection controlled by an official traffic-control device which stops traffic from all directions.



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- (f) No driver shall operate a golf cart if the number of occupants in the golf cart, including the driver, exceeds the number of seats installed and provided on the golf cart.
- (g) Golf carts may not be used for the purpose of towing another golf cart, trailer or vehicle of any kind including, without limitation, a person on roller skates, skateboard or bicycle.
- (h) Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of golf carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. Golf carts shall not park within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by said cart.
- (i) Children must be properly seated while a cart is in motion and may not be transported in a reckless or negligent manner. No person younger than six (6) years of age may be transported in a motorized cart unless restrained by a safety belt restraint.
- (j) Package delivery vehicles may be used in the Town for the purpose of picking up or delivering mail, parcels, and packages, if the vehicle follows the rules set forth in the Texas Transportation Code 551.452 and this ordinance.
- (k) ATV's, mules, sand rails, off-highway vehicles, and the like are not permitted for public roadway use in the Town.

Sec. 11.06.005 Liability

- (a) Nothing in this Article shall be as an assumption of liability by the Town for any injuries (including death) to persons, pets, property which may result from the operation of a golf cart by an authorized user.
- (b) An owner of a golf cart is liable for the intentional or negligent actions of any person to whom the owner grants permission to operate the owner's golf cart whether such operation occurs on private property and/or any authorized public street or public parking area, and includes but is not limited to liability for personal injuries (including death) or property damage resulting from the acts of a person under the age of twenty-one (21) who operates the owner's golf cart whether or not possessing a current and valid driver's license.



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Sec. 11.06.006 Penalty for violations

Violation of this article shall be a misdemeanor and punished by a fine as provided for in the general penalty provision found in Section 1.01.009. Each day of violation shall constitute a separate offense.

SECTION 2. VIOLATIONS AND PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in accordance with Section 1.01.009 of the Code of Ordinances, Town of Northlake, Texas. Each day of violation shall constitute a separate offense.

SECTION 3. CUMULATIVE. All ordinances, orders or resolutions heretofore passed and adopted by the Town Council of the Town of Northlake, Texas, are hereby repealed to the extent that said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

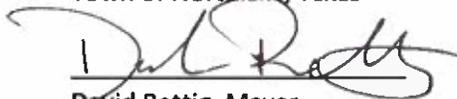
SECTION 4. SEVERABILITY. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section and said remaining portions shall remain in full force and effect.

SECTION 5. PUBLICATION. The Town Secretary of the Town of Northlake is hereby directed to publish the caption in the official newspaper of the Town as required by Section 52.011 of the Texas Local Government Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after the date of its passage and publication.

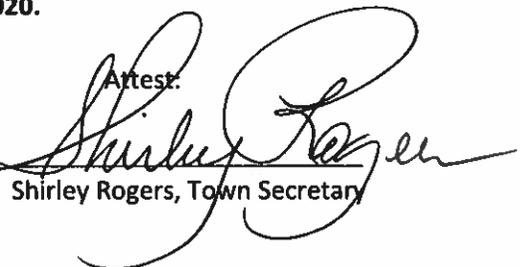
PASSED AND APPROVED ON THIS THE 13TH DAY OF AUGUST 2020.

Town of Northlake, Texas


David Rettig, Mayor



Attest:


Shirley Rogers, Town Secretary