

ORDINANCE 2006-5

ORDINANCE TO REGULATE THE USE OF GOLF CARTS WITHIN THE CITY LIMITS OF PAYNE SPRINGS, TEXAS.

WHEREAS, THE CITY OF PAYNE SPRINGS, TEXAS (CITY) IS A TYPE A MUNICIPALITY UNDER THE LAWS OF THE STATE OF TEXAS, AND

WHEREAS, THE CITY COUNCIL IS RESPONSIBLE FOR THE SAFETY OF THE CITIZENS OF PAYNE SPRINGS, AND

WHEREAS, THE CITY COUNCIL DEEMS IT NECESSARY TO ESTABLISH AND DEFINE THE USE OF GOLF CARTS ON CITY ROADWAYS WITHIN THE CITY LIMITS OF PAYNE SPRINGS, TX AND PROVIDE EXCLUSIONS AND PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS

SECTION 1. EVERY OWNER OR OPERATOR OF A GOLF CART, WHILE OPERATING ON THE CITY ROADWAYS, WILL HAVE ON THEIR PERSON A CURRENT AND VALID DRIVERS LICENSE. NO ONE MAY OPERATE A GOLF CART WITHOUT A CURRENT DRIVERS LICENSE AND WILL BE SUBJECT TO A CLASS "C" MISDEMEANOR WHICH WILL CARRY A FINE OF NOT MORE THAN \$200.00.

SECTION 2. GOLF CARTS MAY ONLY BE OPERATED ON CITY ROADWAYS WITHIN THE CONFINES OF SUB DIVISIONS OF PAYNE SPRINGS TEXAS. THE USE OF SAID VEHICLE IS PROHIBITED TO BE USED ON STATE HIGHWAY 198, CR 2501, CR 2515, CR 2516, CR 2529, CR 2507, CR 2530, CR 2851, CR 2852, CR 2854, CR 2930, AND FM 316, INCLUDING ANY OTHER ROADWAY WITHIN THE CITY LIMITS OF PAYNE SPRINGS, TEXAS.

SECTION 3. GOLF CART USE IS RESTRICTED FROM 30 MINUTES AFTER SUNRISE TO 30 MINUTES BEFORE SUNSET, UNLESS EQUIPPED WITH STATE APPROVED HEADLIGHTS, TAIL LIGHTS, AND BLINKERS. ALL GOLF CARTS ON CITY ROADWAYS WILL BE REQUIRED TO DISPLAY A SLOW MOVING SIGN ON THE BACK OF THE CART IN PLAIN VIEW OF APPROACHING VEHICLES FROM THE REAR. THE USE OF GOLF CARTS ON CITY ROADWAYS WILL ADHERE TO ALL TEXAS STATE STATUTES OF OPERATING A MOTOR VEHICLE ON ROADWAYS.

SECTION 4. ANY PERSON OPERATING OR RIDING A GOLF CART UNDER THE PROVISIONS OF THIS ORDINANCE WILL HOLD THE CITY OF PAYNE SPRINGS HARMLESS OF ANY ACCIDENT OR DAMAGES THAT MAY INCUR FROM THE USE OF THE CART ON PUBLIC ROADS.

SECTION 5. LIMITING THE NUMBER OF RIDERS ALLOWED TO BE ON THE GOLF CART IS RESTRICTED TO THE SEATING CAPACITY OF THE CART. ALL PERSONS RIDING ON THE CART WILL REMAIN SEATED AT ALL TIMES. PERSONS WILL NOT BE ALLOWED TO STAND WHILE THE CART IS IN MOTION.

SECTION 6. ANY OPERATION OF A GOLF CART ON SUB DIVISIONS ROADWAY WILL BE SUBJECT TO AND ADHERE TO ALL TEXAS STATUTES OF OPERATING A MOTOR VEHICLE UNLESS OTHERWISE STATED IN THIS ORDINANCE AND WILL BE SUBJECT TO FINES AND PENALTIES AS SET FORTH IN ORDINANCE .

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SECTION 7. ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ORDINANCE OR FAILS TO OBSERVE THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED A SUM OF NOT MORE THAN \$200.00.

SECTION 8. THE POLICE DEPARTMENT OF THE CITY OF PAYNE SPRINGS, TEXAS WILL ENFORCE THIS ORDINANCE.

THIS ORDINANCE WILL BE IN FULL FORCE AND EFFECT THE DAY AFTER PUBLICATION IN THE NEWSPAPER.

PASSED AND APPROVED THIS _____ DAY OF _____, 2006.

APPROVED:

ETHEL HAGIN, MAYOR

SEAL

ATTEST:

LINDA CARR, CITY SECRETARY