

ARTICLE V. GOLF CARTS²

Sec. 30-119. Purpose.

The purpose of this article shall be to establish a golf cart ordinance to allow the operation of golf carts within certain areas of the town hereinafter designated to promote the health, safety and welfare of persons operating golf cart within the town and to protect the safety of their passengers and other users of roads.

²State law reference(s)—Municipal regulation of golf cart operation, G.S. 160A-300.6.

(Code 1989, § 74.01; Ord. of 8-14-2018)

Sec. 30-120. Policy statement and liability disclaimer.

Golf carts are not designed or manufactured to be used on public streets, roads and highways, and the town in no way advocates or endorses their operation on roads. The town, by regulating such operation is merely trying to address obvious safety issues, and adoption of this article is not to be relied upon as a determination that operation on designated roads is safe or advisable if done in accordance with this article. All persons who operate or ride upon golf carts on designated 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 town has no liability and assumes no liability under any theory of liability for permitting golf carts to be operated on designated public roads pursuant to the statutory authority of G.S. 160A-300.6. Any person who operates a golf cart must procure liability insurance sufficient to cover the risks involved in using a golf cart on the designated roads of the town.

(Code 1989, § 74.02; Ord. of 8-14-2018)

Sec. 30-121. 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:

Controlled access facility means a state highway, or section of state highway, especially designed for through traffic, and over, from or to which highway owners or occupants of abutting property, or others, shall have only a controlled right or easement of access.

Driver's license means a valid license to operate a motor vehicle issued by the state or any other state.

Financial responsibility means liability insurance coverage on a golf cart in an amount not less than required by state law for motor vehicles operated on public highways in the state.

Golf cart means 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 as set forth in G.S. 20-4.01(12b).

Operator means only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.

(Code 1989, § 74.03; Ord. of 8-14-2018)

Sec. 30-122. Operation on public streets and highways within certain areas; exceptions.

- (a) *Allowed; registration and authorization required.* The operation of golf carts on the public streets, roads and highways within certain areas of the town so designated for that purpose and on property controlled by the town, if so designated, shall be permitted in compliance with the provisions of this article; however, it shall be unlawful to operate any golf cart that is not properly registered with the town or to operate any golf cart at any place or in any manner not authorized herein.
- (b) *Exceptions.* The operation of golf carts is not subject to the provisions of this article under the following circumstances:
 - (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 on private streets within gated communities;

- (3) The operation of golf carts that complies with and are regulated by the requirements of state motor vehicle law, which makes it a street legal golf cart and/or low speed vehicle and is therefore eligible for usage on public roads as prescribed by law;
- (4) The operation of golf carts in connection with a parade, festival, or other special event provided the consent of the event sponsor is obtained and provided such use only occurs during the event; or
- (5) The use of golf carts by the town in its official capacity or business on town-controlled property.

(Code 1989, § 74.04; Ord. of 8-14-2018)

Sec. 30-123. Manner of operation.

Golf carts shall not be operated on the public streets, roads and highways of the town except in full compliance with the provisions of this article.

- (1) Golf carts shall not be operated on or alongside public roads or streets with a posted speed limit greater than 35 miles per hour.
- (2) Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been traversed, 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 controlled access facility other than at bridges which cross over or under a controlled access facility.
- (3) Golf carts may be driven on approved public roads and streets so designated by the town from sunrise until sunset. Golf carts may be driven after sunset when equipped with operational headlights and taillights. Golf carts may not be operated when fog, smog, smoke, inclement weather or other conditions reduce visibility so that the golf cart is not visible for a minimum distance of 250 feet.
- (4) Golf carts are authorized for use on the following roads within the town limits:
 - a. Buffalo Creek Road (State Road 1314) (App. B).
 - b. A portion of Buffalo Creek Road (State Road 1306) (App. B).
 - c. A portion of Buffalo Shoals Road (State Road 1306) (App. B).
 - d. A portion of Cut Away Road (App. A).
 - e. Village Boulevard (App. A).
 - f. Winesap Road (State Road 1308) (App. B).
 - g. Storm Ridge Road (App. C).
 - h. A portion of Charlotte Drive between the two intersections with Storm Ridge Road (App. C).

The maps for this article are located in section 30-126.

- (5) Golf carts authorized for use under the provisions of this article shall not be operated on any other public streets or roads within the town.
- (6) 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 the minimum required by state law for motor vehicles operated on public highways in the state.

PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

- (7) Any person who operates a golf cart must be at least 16 years of age. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of the state and then, only in accordance with such valid driver's license's restriction. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads. For the purpose of this article, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporarily, or otherwise, or suspended for any reason be considered as a valid driver's license during the period of revocation or suspension.
- (8) Any person who operates a golf cart on public streets and roads must adhere to all applicable state and local traffic 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.
- (9) The operator of the golf cart shall comply with all traffic rules and regulations adopted by the state and the county/town/city which governs the operation of motor vehicles.
- (10) An operator of a golf cart on designated streets 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 rear of a golf cart designed to carry golf bags.
- (11) 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.
- (12) Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
- (13) 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. Golf carts shall only park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking placard and such placard is properly displayed in the cart. No parking on sidewalks is allowed.

(Code 1989, § 74.05; Ord. of 8-14-2018)

Sec. 30-124. Required equipment.

- (a) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror and a rear triangle reflector of the same type required by state law.
- (b) Golf carts driven after sunset must have a minimum of one operating headlight, and two operating taillights, one on each side of the rear of the cart. All lights must be visible from a distance of 250 feet.
- (c) 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 and mounted on the rear of the vehicle and permanently installed.
- (d) If a mechanical turn signal indicator is installed, it shall be operational. If a mechanical turn signal indicator is not installed, then hand signals are required for turns.

(Code 1989, § 74.06; Ord. of 8-14-2018)

Sec. 30-125. Registration and fee prior to usage.

- (a) All golf cart owners who intend to operate the golf cart on designated roads must complete a golf cart registration application and submit to the town at town hall for approval. Before driving on designated public roads, the operator of a golf cart must have a valid issued registration.
- (b) The cost for the registration of the golf cart shall be in accordance with the fee schedule adopted annually by the town council. Registration fees are due at the time of registration and registrations must be renewed every calendar year.
- (c) Each owner must have proof of ownership, liability insurance, and a completed waiver of liability releasing the town from liability that may arise as a result of operation of a golf cart within the town limits. These documents must be in the golf cart at all times while in operation on public roads or streets.
- (d) All golf carts must meet the requirements or minimum standards of safety equipment as set forth in section 30-124.
- (e) All golf cart operators must present a valid driver's license while operating a golf cart on a public street or road.
- (f) The registration sticker shall be valid for no more than one year and must be displayed on the lower corner of the driver's side windshield or in case of no windshield, the driver's side front quarter panel of the golf cart and easily visible by law enforcement personnel.
- (g) 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.

(Code 1989, § 74.07; Ord. of 8-14-2018)

Sec. 30-126. Denial, revocation and enforcement.

- (a) If any person shall violate the provisions of this article, he shall be guilty of a Class 3 misdemeanor and shall be subject to the remedies and penalties found in section 1-10.
- (b) The town may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit, if the application contains any material misrepresentation; if equipment required by this article, has been removed from the golf cart; if the liability insurance requirements have not been met; or the vehicle identification or serial number is removed.
- (c) The town may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit for cart owners who have received at least two citations involving the golf cart since their last registration renewal.
- (d) Any person who knowingly allows an underage driver to operate a golf cart shall have their permit revoked. In addition, the town may also refuse to issue a future permit to someone who allowed an underage driver to operate a golf cart on public roads or streets.
- (e) All-terrain vehicles, four-wheeled utility vehicles and other similar utility vehicles which are not manufactured for operation on a golf course may not be registered as a golf cart nor shall such vehicles be operated on the public roads or streets within the town unless such vehicles are otherwise used in conjunction with and authorized for emergency service operations.
- (f) Any violation of the motor vehicle laws of the state shall be charged the same as any other driver of any registered vehicle in the state.

PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES



Town of Lake Lure

Golf Cart Registration Application

In accordance with the Town of Lake Lure General Ordinance, Chapter 30 Traffic and Vehicles, Article V, Golf Carts, a Golf Cart Registration may be issued to operate a golf cart on the designated streets of the Town of Lake Lure. Golf cart operators shall submit an application in person to the Town of Lake Lure to obtain its own individual permit/decal to be placed on the front windshield area of the cart so as to be fully visible when the cart is in operation. Golf carts shall have all the required equipment listed in the ordinance. All drivers of the golf cart shall have a valid driver's license.

A golf cart registration authorizes the operation of a golf cart on approved public streets or roads within the corporate limits of the Town and whose posted speed limit is 35 mph or less. It is the responsibility of the golf cart operator to know what roads are designated as permissible for the operation of golf carts.

As with any other form of transportation, all persons who operate golf carts do so at their own risk and must be observant of and attentive to the safety of themselves and others. The Town has no liability under any theory of liability and the Town assumes no liability for permitting golf carts to be operated on certain designated public streets.

The owner of the golf cart must provide evidence of liability insurance at the time of application and must continuously maintain insurance for the entire time the golf cart is registered in the Town of Lake Lure. A golf cart registration fee of \$15.00 for each cart, as well as \$5.00 for each permit/decal, shall be payable at the time of registration and inspection. Registration shall expire on December 31st of the year printed on the permit and will not be prorated due to date of issuance

Please Print or Type:

Applicants Name: _____ Telephone Number: _____

Address:

Mailing Address if different from above:

Driver's License Number: State Issued:

Serial Number of Golf Cart: Year: Make/Model:

Color: _____

Name of Insurance Company: Policy Number:

PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

By signing this application below, the applicant acknowledges that he/she has received, read and understands the provisions of the Golf Cart ordinance and agrees to abide by all rules and regulations governing the operation of his/her golf cart in the town. The applicant further declares, under penalties of perjury, this vehicle is insured with the company named above and he/she will maintain liability insurance throughout the registration period.

Signature of Applicant	Date

For Town Use Only: Fee Paid: Receipt #: Date:

Registration Sticker # Issued: Date Issued:

Expiration Date: _____

Date Inspected: Approved: Denied:

If Denied, Reason:

--



Town of Lake Lure

Summary of Golf Cart Regulations

And

Waiver of Liability

This is a summary of the rules and regulations for the operation of a golf cart on the streets/roads within the Town of Lake Lure. Additional information regarding the regulations for operating a golf cart on specified Town streets along with violation penalties is found in the copy of the Town of Lake Lure Ordinance Regulating the Operation of Golf Carts on Certain Public Streets.

- Golf carts must have the basic equipment supplied by the manufacturer, including all safety devices installed by the manufacturer.
- Golf carts shall not be operated on or alongside public roads or streets with a posted speed limit greater than 35 miles per hour.
- Golf carts may be driven on approved public roads and streets so designated by the town from sunrise to sunset. A list of the approved roads/streets authorized for use is found in section 30-123.

PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

- Golf cart drivers must adhere to all applicable state and local traffic laws, regulations, and ordinances.
- Golf carts may not be operated when fog, smog, smoke, inclement weather or other conditions reduce the visibility so that the golf cart is not visible from a minimum distance of 250 feet.
- Golf carts authorized for use under the provisions of this article shall not be operated on any other public streets or roads within the town.
- Golf cart drivers shall have a valid driver's license and in no case be under the age of 16 years.
- Golf cart drivers shall stay on the far right of the road and shall yield the right-of-way to overtaking vehicles.
- Golf carts shall not be operated at a speed greater than 20 miles per hour.
- Golf carts must park in designated spaces.
- Golf carts may not be used for the purpose of towing another cart, trailer, vehicle of any kind, including a person on roller skates, skateboard, bicycle or similar device.
- Lost or stolen permit/stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public street or road.
- The town may refuse to register and issue a permit for the operation of a golf cart, or may revoke a previously issued permit for cart owners who have received at least two citations involving the golf cart since their last registration renewal.
- Any violation of the motor vehicle laws of the state shall be charged the same as any other driver of any registered vehicle in the state.

Liability Disclaimer

Golf carts are not designed or manufactured to be used on public streets, roads and highways, and the Town of Lake Lure in no way advocates or endorses their operation on roads. The Town of Lake Lure, 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 designated roads is safe or advisable if done in accordance with this chapter. All persons who operate or ride upon golf carts on designated 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 Town of Lake Lure has no liability and assumes no liability under any theory of liability for permitting golf carts to be operated on designated public roads pursuant to the statutory authority of G.S. 160A-300.6. Any person who operates a golf cart must procure liability insurance sufficient to cover the risks involved in using a golf cart on the designated roads of the town.

Serial Number of Golf Cart: Year: Make/Model:

Color: _____

Registration Number: _____

Acknowledgement

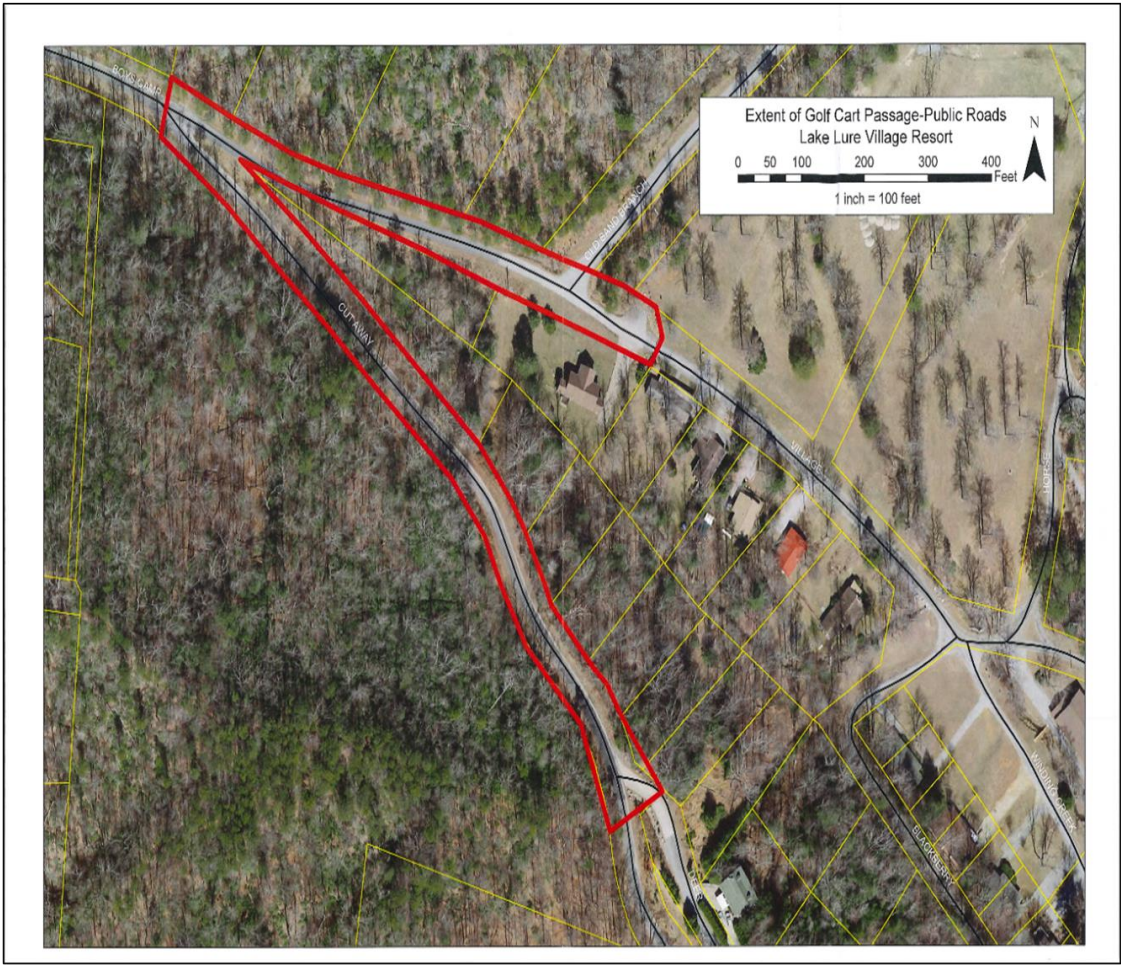
I have read and understand the above requirements and acknowledge receipt of the Town of Lake Lure Ordinance Regulating the Operation of Golf Carts on Certain Public Streets in the Town of Lake Lure. I have paid the registration fee. I acknowledge that I have liability insurance sufficient to cover the risk involved in using this cart on the designated streets and roads and am fully responsible for the operation of the above cart on these streets and roads. I also acknowledge that the Town of Lake Lure, in providing this privilege, is in no way endorsing the operation of this cart on streets and roads nor assumes any liability in the operation of the cart. I agree to

PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

indemnify and hold harmless the Town of Lake Lure for any and all liability arising from the use of this registered golf cart. I certify that the above identified cart has the required mirrors, and reflective low speed caution triangle. I will ensure that copies of the proof of ownership, liability insurance, and this completed waiver of liability are in the golf cart at all times while in operation on public roads.

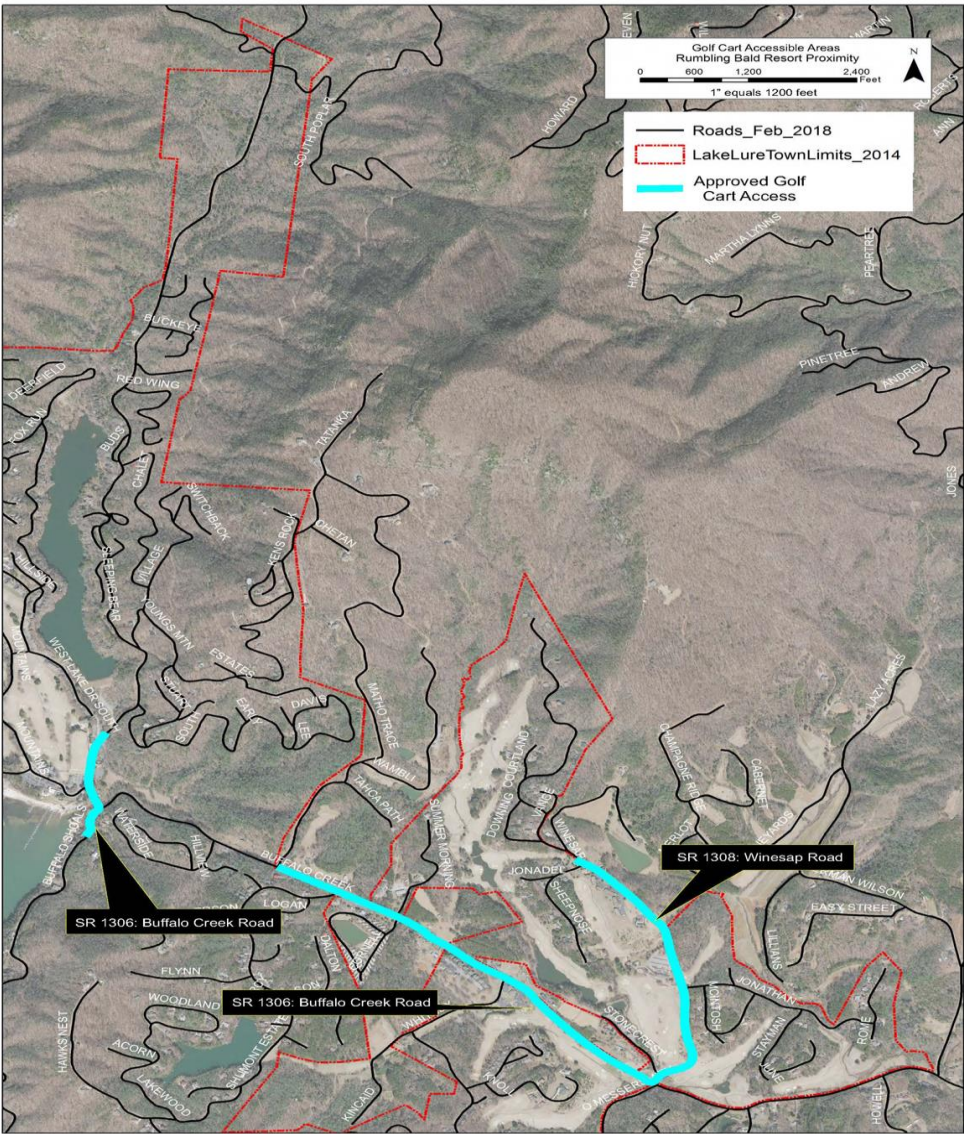
Signature of Applicant/Owner	Date

Map A



PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

Map B



PART II - CODE OF ORDINANCES
Chapter 30 TRAFFIC AND VEHICLES

Map C



(Code 1989, § 74.08; Ord. of 8-14-2018)