

ORDINANCE 2020-3

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING TRAFFIC AND VEHICLES; ADDING A NEW ARTICLE VIII ENTITLED "GOLF CARTS, LOW-SPEED VEHICLES AND MINI TRUCKS," CONSISTING OF SECTIONS 66-191 THROUGH 66-197 OF THE CODE OF ORDINANCES OF THE CITY OF OCALA, FLORIDA; PROVIDING FOR PURPOSE AND INTENT; PROVIDING DEFINITIONS OF "GOLF CART, LOW-SPEED VEHICLE, AND MINI TRUCK"; PROVIDING AUTHORIZATION FOR AND REGULATION OF OPERATION OF GOLF CARTS ON DESIGNATED CITY STREETS SUBJECT TO RESTRICTIONS; RESTRICTING THE LAWFUL OPERATION OF LOW-SPEED VEHICLES TO DESIGNATED CITY STREETS; PROVIDING FOR PARKING RESTRICTIONS; PROVIDING FOR COMPLIANCE AND ENFORCEMENT; PROVIDING FOR A WAIVER OF CLAIMS AGAINST THE CITY OF OCALA BY OPERATORS AND PASSENGERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Ocala, Florida as follows:

Section 1. That Chapter 66 - Traffic and Vehicles, of the Code of Ordinances, City of Ocala, Florida, is hereby amended by adding new Article VIII - GOLF CARTS, LOW-SPEED VEHICLES AND MINI TRUCKS, consisting of sections 66-191 to 66-197, which shall read as follows:

Article VIII. - GOLF CARTS, LOW-SPEED VEHICLES AND MINI TRUCKS.

Sec. 66-191. - Purpose and intent.

The purpose of this Article is to authorize and regulate the use of golf carts, low-speed vehicles and mini trucks upon certain designated streets of the City of Ocala, Florida, and establish requirements for the operation of golf carts, low-speed vehicles and mini trucks that are more restrictive than those enumerated in §316.212 and §316.2122, Florida Statutes.

Sec. 66-192. - Definitions.

- (a) For purposes of this Article, a “*golf cart*” means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour, as defined in §320.01(22), Florida Statutes.
- (b) For purposes of this Article, a “*low-speed vehicle*” means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles, as defined by §320.01(41), Florida Statutes.
- (c) For purposes of this Article, a “*mini truck*” means any four-wheeled, reduced-dimension truck that does not have a National Highway Traffic Safety Administration truck classification, with a top speed of 55 miles per hour, and which is equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, and seat belts, as defined in §320.01(44), Florida Statutes.

Sec. 66-193. - Operation of golf carts.

- (a) *Golf carts generally prohibited.* Unless otherwise authorized pursuant to this Article or state law, golf carts shall not be operated on public roads and streets within the city.
- (b) *Authorization to operate golf carts on specified roads and streets.* Golf carts may be operated on streets designated for such use by resolution of the City of Ocala in accordance with §316.212, Florida Statutes, which shall include the City of Ocala “Golf Cart Map.” The Golf Cart Map may be amended from time to time by resolution of the City of Ocala.
- (c) *Operation prohibited on sidewalks.* Golf carts may not be operated on city sidewalks.
- (d) *Signage.* The city engineer or his or her designee shall post appropriate signs to indicate that golf cart operation is allowed on a city street.
- (d) *Equipment and minimum standards; sunrise to sunset.* The operation of a golf cart between sunrise and sunset is prohibited unless the golf cart is equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.
- (e) *Operation of golf carts at night; minimum standards.* The operation of a golf cart between sunset and sunrise is prohibited unless the golf cart satisfies all requirements of section 66-193(d) and is also equipped with headlights, brake lights, turn signals and a windshield.
- (f) *Unlicensed Drivers.* It shall be unlawful for an unlicensed driver, defined as a driver who does not hold and possess a valid state-issued driver’s license, to operate a golf cart

unless such driver complies with each of the following requirements:

- (1) An unlicensed driver must be 18 years of age or older or possess a valid state-issued learner's driver license.
- (2) When operating a golf cart, the unlicensed driver must be accompanied at all times by another person who holds a valid state-issued driver's license, is at least 21 years of age, and occupies the closest seat to the right of the unlicensed driver of the golf cart.
- (3) An unlicensed driver shall not operate a golf cart between sunset and sunrise.
- (4) Except for the licensed occupant described in section 66-193(f)(2), an unlicensed driver shall not operate a golf cart occupied by passengers.

Sec. 66-194. - Operation of low-speed vehicles and mini trucks.

- (a) Low-speed vehicles or mini trucks shall only be operated on streets designated by the city's "Golf Cart Map" adopted by resolution of the City of Ocala pursuant to section 66-193(b). Operation of low-speed vehicles or mini trucks on city streets or right-of-way that are not designated on such Golf Cart Map constitutes a violation of this article.
- (b) Low-speed vehicles and mini trucks must comply with all applicable safety standards set forth in 49 C.F.R. §571.500 and requirements set forth in §320.2122, Florida Statutes.

Sec. 66-195. - Parking of golf carts, low-speed vehicles and mini trucks.

Golf carts, low-speed vehicles, and mini trucks shall park in designated parking stalls and otherwise comply with all parking regulations set forth in this chapter 66. At no time and under no circumstances shall golf carts, low-speed vehicles or mini trucks be parked or left unattended in or upon a city streets, right-of-way, sidewalk, or public park, or private property that is not owned or leased by the owner of such golf cart, low-speed vehicle or mini truck without the permission of such private property owner.

Sec. 66-196. - Compliance; Enforcement.

Violations of this article shall constitute a non-criminal infraction punishable pursuant to the provisions of §316.212(9), Florida Statutes. The use of a golf cart, low-speed vehicle or mini truck resulting in violations of the Florida "Uniform Traffic Control" statute and the Florida "Uniform Disposition of Traffic Infractions Act" are punishable pursuant to chapters 316, 318, and 319, Florida Statutes, as applicable. All other city ordinances pertaining to the use of motor vehicles within the city, including, but not limited to chapter 66, shall also apply to this article.

Secs. 66-197 - Waiver of claims.

Each person operating or riding on a golf cart on city streets and all person who are passengers in such golf carts shall be deemed to have waived all claims against the city for its policy decision to allow the operation of such golf carts on city streets as permitted herein.

66-198-66-202. - Reserved.

Section 2. *Severability.* Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect upon the later of: (1) approval by the Mayor, or upon becoming law without such approval, or (2) One Hundred Eighty (180) days after city council's adoption of this ordinance.

ATTEST:

By: Angel B. Jacobs
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: Jay A. Musleh
Jay A. Musleh
President, Ocala City Council

☒ Approved ☐ Denied by me as Mayor of the City of Ocala, Florida, on 12/11, 2019.

By: Reuben Kent Guinn
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: Patrick G. Gilligan
Patrick G. Gilligan
City Attorney

for

Ordinance No: 2020-3
Introduced: 11/19/2019
Adopted: 12/3/2019
Effective date of Ordinance: 3/3/2020
Legal Ad No: A000961590 - 11/22/19