

ORDINANCE NO. 25-04

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING ARTICLE V OF CHAPTER 30 OF THE CITY CODE AUTHORIZING THE USE OF GOLF CARTS WITHIN CERTAIN COMMUNITIES AND ON STREETS DESIGNATED IN RESOLUTIONS ADOPTED BY THE CITY COMMISSION; PROVIDING FOR THE ESTABLISHMENT OF AN APPLICATION PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has the authority to authorize the operation of golf carts and regulate such operation within its jurisdictional boundaries pursuant to Article VIII, § 2(b) of the Florida Constitution and Section 166.221 and Section 316.212, Florida Statutes; and

WHEREAS, to protect the health, safety, and welfare of its citizens, the City desires to prohibit the operation of golf carts along roads and thoroughfares incompatible with such operation and regulate the manner and times of the operation of golf carts upon streets subject to City jurisdiction where such operation is authorized; and

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

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct, shall constitute the legislative findings of the City, and are hereby made a part of this ordinance.

SECTION 2. City Code Amendment. Section 30 - Article VI is hereby amended as follows: words that are underlined are additions, and all other provisions shall remain unchanged):

Sec. 30-202. 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:

Applicant means a person or entity, including a homeowner's or community association, that is requesting that the Belle Isle City Commission adopt a resolution designating one or more golf cart communities and/or one or more golf cart permitted streets.

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. Golf carts operating within the city shall meet minimum equipment standards set forth in controlling law and shall not be modified to have increased power, wheelbase, or tire modifications from a standard manufactured gas or electric golf cart.

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. Low-speed vehicles must comply with the safety standards in 49 C.F.R. and State Statutes.

Golf cart community means a subdivision or community within the corporate limits of the city within which the Belle Isle City Commission has by resolution

1 authorized the operation of golf carts on designated municipal streets within such
2 subdivision or community.

3 *Golf cart permitted street* means a municipal street within the corporate limits of
4 the city which has been designated by resolution of the Belle Isle City Commission
5 for use by golf carts.

6
7 **Sec. 30-203. Golf cart operation.**

8 (a) It shall be unlawful to operate a golf cart on any street or sidewalk within
9 the corporate limits of the city (d) Golf carts may be operated upon the sidewalks
10 within the jurisdictional territory of the city subject to the following
11 restrictions and requirements:

12 (1) The maximum speed for golf carts on sidewalks is 15 miles per hour.

13 (2) Golf carts operated upon sidewalks must meet the equipment requirements of
14 section 30-203(e) (2) and (3).

15 (3) Golf carts may only be operated on sidewalks which are at least eight feet
16 wide and sidewalks or paths designated by the city

17 (h) The number of occupants in any golf cart operated on city roads and streets
18 shall be restricted to the number of seats on the golf cart. No occupants of a
19 golf cart shall stand at any time while the golf cart is in motion.

20 (j) It is prohibited for golf carts to tow any scooter, bicycle, skateboard, wagon
21 or other conveyance.

1 **Sec. 30-205. Age regulations.**

2 (4) An unlicensed driver shall not operate a golf cart between thirty minutes
3 before or after sunset and sunrise.

4
5 **Sec. 30-206. Signage.**

6 The city shall provide proper signage pursuant to F.S. § 316.212(1), within 30
7 days of approval of a resolution to allow golf carts to be operated within a golf
8 cart community or on a golf cart permitted street.

9 It shall not be a defense to any enforcement action under the provisions of this
10 article, in any forum or of any type or nature, that signage was not in place or
11 was not noticed or understood by an operator of a golf cart.

12 The posting or failure to post signage under the provisions of this article shall
13 not be the basis of any liability of any type or nature against the city or any of
14 its officials, officers or employees.

15
16 **Sec. 30-210. Violations; penalties.**

17 (e) The owner of a golf cart is responsible and liable for payment of any fine
18 unless the owner furnishes clear and convincing evidence that the golf cart
19 was, at the time of the violation, in the care, custody or control of another
20 person. In such instances, the owner of the golf cart is required to, within
21 a reasonable period of time as determined by the city, furnish the city with
22 an affidavit setting forth the name, address and driver's license number of
23 the person who leased, rented or otherwise had the care, custody or control
24 of the golf cart. The affidavit submitted shall be admissible in a proceeding

1 charging a violation and raises the rebuttable presumption that the person
2 identified in the affidavit is responsible for payment of the fine. The owner
3 of the golf cart is not responsible for a violation if the golf cart involved
4 was, at the time of the violation, stolen, but in all other cases a
5 rebuttable presumption shall exist that the owner is the violator and owes
6 the fine to the city.
7

8 SECTION 3. Codification. This Ordinance shall be codified into the Belle Isle
9 City Code. Any section, paragraph number, letter and/or any heading may be
10 changed or modified as necessary to effectuate the foregoing. Grammatical,
11 typographical and similar or like errors may be corrected, and additions,
12 alterations, and omissions not affecting the construction or meaning of this
13 ordinance or the Belle Isle City Code may be freely made.
14

15 SECTION 4. Severability. If any section, subsection, sentence, clause, phrase,
16 word or provision of this Ordinance is for any reason held invalid or
17 unconstitutional by any court of competent jurisdiction, whether for
18 substantive, procedural, or any other reason, such portion shall be deemed a
19 separate, distinct and independent provision, and such holding shall not affect
20 the validity of the remaining portions of this Ordinance.
21

22 SECTION 5. Conflicts. In the event of a conflict or conflicts between this
23 Ordinance and any other ordinance or provision of law, this Ordinance controls to
24 the extent of the conflict to the maximum extent allowable under the law.
25

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Belle Isle, Florida.

FIRST READING: April 1, 2025

SECOND READING: _____.

ADOPTED this ____ day of _____, 2025, by the City Council of the City of Belle Isle, Florida.

	YES	NO	ABSENT
Frank Vertolli	_____	_____	_____
Holly Bobrowski	_____	_____	_____
OPEN	_____	_____	_____
OPEN	_____	_____	_____
Beth Lowell	_____	_____	_____
Stan Smith	_____	_____	_____
Jim Partin	_____	_____	_____

ATTEST:	CITY OF BELLE ISLE
_____	_____
Yolanda Quiceno, City Clerk	Jason Carson, Mayor

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that
4 the above and foregoing document ORDINANCE 25-04 was duly and legally passed by
5 the Belle Isle City Council, in session assembled on the ____ day of _____,
6 20____, at which session a quorum of its members were present.

7 _____

8 Yolanda Quiceno, CMC-City Clerk