

ORDINANCE NO. 2015-397

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS; REQUIRING REGISTRATION OF ALL GOLF CARTS IN THE CITY WITH A ONE-TIME REGISTRATION FEE AND AN ANNUAL RENEWAL FEE; PROVIDING CERTAIN EXCEPTIONS; PROVIDING CRIMINAL PENALTIES UP TO \$500 FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING AND SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2016 AFTER PUBLICATION AS PROVIDED BY LAW.

WHEREAS, Sections 551.403 through 551.405 of the Texas Transportation Code permits the operation of golf carts within municipalities under certain conditions; and

WHEREAS, the Texas Transportation Code grants to municipalities the authority to control the operation of motor vehicles using its streets and to prescribe reasonable and safe restrictions related to the stopping, standing and parking of vehicles; and

WHEREAS, the Texas Transportation Code also permitted municipalities to prohibit the operation of golf carts on a public highway if the governing body of the municipality determines that the prohibition is necessary in the interest of safety; and

WHEREAS, the City Council of the City of Panorama Village, Texas (the "City Council") has investigated and determined that the regulations and prohibitions set forth in this Ordinance are necessary in the interest of the safety; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of the City of Panorama Village, Texas ("City") and in the best interest of the public health, safety and welfare of the citizens and the public to establish regulations for the operation of golf carts as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, THAT:

SECTION I.
Findings Incorporated.

The findings set forth above are incorporated into the body of this Ordinance as if fully set

forth herein.

SECTION II.
OPERATION OF GOLF CARTS ON PUBLIC STREETS

1. Definitions

The following words, terms, and phrases, when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Panorama Village, Texas.

Golf Cart means a motorized vehicle designed by the manufacturer primarily for transporting persons on a golf course.

Operator means a person who is operating a golf cart on a City public street.

Public Street means a publicly-owned or dedicated road, street, drive, or other right-of-way for the use of vehicles within the corporate boundaries of the City of Panorama Village, Texas.

2. Registration of Golf Carts

- a) **Registration Fee and Permit:** All golf carts that are operated on public streets in the City must be registered with the City Secretary. A golf cart owner must complete and sign a City registration permit application form, accompanied by a one-time registration fee of \$25.00. The City Secretary will issue a permit decal which must be placed on driver's side of the golf cart and visible at all times.

- b) **Registration Application:** The application shall contain the following:
 - (1) name and address of the owner;
 - (2) location where golf cart is regularly stored overnight;
 - (3) model, make, name and golf cart identification number; and
 - (4) current driver's license number of owner.

- c) **Annual Renewal Fee:** Owners of registered golf carts must apply annually with the City Secretary for a yearly sticker that must be placed on the golf cart permit decal. The fee for the annual renewal sticker shall be \$2.00.

- d) **Exceptions:** A golf cart that is already registered with the City's Village Golf Course or registered with the Texas Department of Motor Vehicles is exempted from this registration requirement.

3. Golf Carts Permitted with Restrictions

A person may operate a golf cart on a public street in the City if:

- a) the golf cart is registered with the City as provided in Section 2 above;
- b) the operator or someone in the golf cart with the operator has a valid state driver's license;
- c) the operator of the golf cart complies with all the "Rules of the Road" as provided in Chapter 541 of the Texas Transportation Code and with City ordinances; and
- d) the golf cart is only operated during daylight hours unless it has and uses the following operating equipment:
 - (1) headlights;
 - (2) tail lights; and
 - (3) reflector.

4. Golf Cart Prohibitions

No person may operate a golf cart on a public street in the City if:

- a) the golf cart is not registered with the City;
- b) the golf cart does not have a current annual sticker on the permit decal affixed to the golf cart;
- c) the operator or someone in the golf cart with the operator does not have a valid state driver's license;
- d) the operator violates the "Rules of the Road" as provided in Chapter 541 of the Texas Transportation Code or violates City ordinances; or
- e) the golf cart is operated at night without operating headlights, tail lights and reflector.

SECTION III.

PENALTY PROVISIONS

- a) Any person who violates this Ordinance shall be issued a written warning of violation which identifies the offense committed and advises the person that any subsequent violation could lead to criminal penalties as provided herein.
- b) Any person who violates any provision of this Ordinance after having previously

received a written warning for violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not to exceed \$100.00.

- c) Any person who subsequently violates this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined a sum not to exceed \$500.00.

SECTION IV.
REPEALING/SAVINGS CLAUSE

Article IX, "Operation of Golf Cart on Public Streets," in City Ordinance 2003-281, dated April 22, 2003, is hereby repealed. All provisions of any other ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

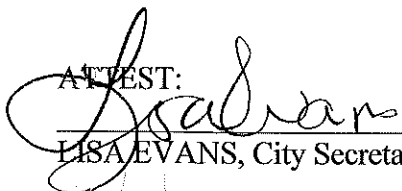
SECTION V.
TEXAS OPEN MEETINGS ACT

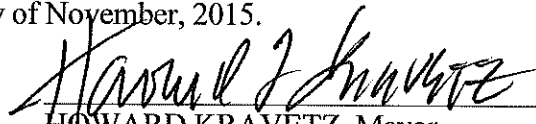
It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code.

SECTION VI.
EFFECTIVE DATE

This Ordinance and each section hereof shall take effect on January 1, 2016, and be in full force from and after its passage and publication as required by law.

PASSED AND APPROVED this 24th day of November, 2015.

ATTEST:

LISA EVANS, City Secretary


HOWARD KRAVETZ, Mayor