

Town of Pollocksville

An Ordinance to Regulate the  
Operation of Golf Carts on  
Public Streets and Roads

BE IT ORDAINED, by the Board of Commissioners of the Town of Pollocksville as follows:

**Section 1. Authority to Regulate.**

Pursuant to N.C.G.S. Section 160A-300.6, the Town is authorized, by ordinance, to regulate the operation of golf carts on any public street, road or highway where the speed limit is 35 miles per hour or less.

**Section 2. 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:

*Golf cart* - means "golf cart" as defined by N.C.G.S. Section 20-4.01(12a). or any successor statutory definition. As of the date of this Ordinance's initial adoption, such definition reads as follows: "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 miles per hour."

*Operate* - means to drive, or be in physical control of a golf cart that is moving or has its key inserted and in the on position.

*Public streets and roads* - means those streets, roads and highways owned and/or maintained by the Town or the State of North Carolina, including any associated right-of-way.

*Town* - means the Town of Pollocksville.

**Section 3. Operation on Public Streets and Roads.**

It is unlawful to operate a golf cart on a public street or road within the Town unless the following requirements are met:

- (A) The golf cart must display a valid registration sticker or other method of identification approved by the Chief of Police as provided in Section 4.
- (B) The golf cart may only be operated on, or cross or travel over, public streets and roads with a posted speed limited of 35 miles per hour or less.
- (C) No person may operate a golf cart unless that person is licensed to drive a motor vehicle upon the streets and highways of North Carolina and then, only in accordance

with the limitations and/or restrictions related to such driver's license. An operator of golf cart must be at least 16 years of age.

- (D) Only the number of people the golf cart is designed to seat may ride on a golf cart and all passengers must be properly seated. Passengers shall not be carried on the part of a golf cart designed to carry golf bags.
- (E) Riders may not be transported in a negligent manner.
- (F) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 miles per hour.
- (G) No golf cart may be operated in a careless or reckless manner.
- (H) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
- (I) Golf carts must be operated to the extreme right of the paved portion of the roadway, and must yield to all vehicular, bicycle and pedestrian traffic.
- (J) Golf carts may be operated in bicycle and pedestrian lanes on any public streets and roads provided they do not impede bicycle or pedestrian traffic.
- (K) Golf carts are not allowed to be driven on any sidewalks in Town.
- (L) Golf carts must be equipped with a rear vision mirror and rear reflectors.
- (M) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification number. Such equipment must include all safety devices as installed by the manufacturer.
- (N) No golf cart may be operated on public streets or roads between one half hour after sunset and one half hour before sunrise unless equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of at least five hundred (500) feet.
- (O) The operator must possess proof of liability insurance in an amount not less than required by North Carolina law for motor vehicles operated on a public highway in the State of North Carolina.
- (P) The Chief of Police, or his designee, may prohibit the operation of golf carts on any street or road if the Chief determines that the prohibition is necessary in the interest of safety.

**Section 4. Registration Required.**

- (A) No golf cart may be driven on any public street or road, or right-of-way associated therewith, within the Town without a permit being acquired from the Town Police Department and an identifying sticker or plate attached to said golf cart in a conspicuous place as determined by the Chief of Police.
- (B) An annual inspection and fee per golf cart – which is found in the Town’s fee schedule -- will be charged by the Town for the inspection (to include continued proof of liability coverage), permit sticker or plate, and to cover the costs of implementing and administering this Ordinance. An applicant's initial fee shall be prorated based on the calendar year. The Town Police Chief retains the right to refuse to issue and/or revoke any permit for any golf cart at any time for any reason that he/she feels is appropriate to ensure the safety and wellbeing of the citizens of the Town.

**Section 5. Enforcement and Penalty.**

- (A) Any act constituting a violation, except as provided in Section 5(B), of this Ordinance or failure to comply with any of its requirements shall subject the offenders to civil penalty of Fifty dollars (\$50.00), plus the court costs and attorney fees incurred by the Town.
- (B) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public road or highway is not a violation of this Ordinance, but a violation of state law, and is punishable as provided therein.
- (C) If the offenders fail to pay the penalty within ten (10) days of receiving final written notice of violation, the penalty may be recovered by the Town in a civil action in the nature of a debt. Repeat offenders may have the privileges granted by this Ordinance revoked by the Town Police Chief and/or the Board of Commissioners.

Adopted this 11th day of July, 2017, and effective the 1 day of August, 2017.

James V Bender, Jr., Mayor

Attest:

Heidi McLaughlin, Town Clerk