

ORDINANCE _____

**AN ORDINANCE PERMITTING AND REGULATING THE OPERATION OF GOLF CARTS ON STREETS
WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF STEDMAN**

WHEREAS, there is a public interest in having a means of local travel that is cost effective and energy efficient as an alternative to the use of standard motor vehicles, or as a means of assisting physically handicapped people with mobility issues; and

WHEREAS, N.C.G.S. §160A-300.6 now authorizes a Town, by ordinance, to regulate the operation of golf carts on any public street, road or highway where the speed limit is 35 mph or less within its municipal limits or on property owned or leased by the City; and

WHEREAS, for the purposes of this Ordinance, golf cart is defined as 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 twenty miles per hour (mph); and

WHEREAS, the Board of Commissioners has determined that it is in the public interest to develop regulations relating to the safe and proper operation of golf carts on streets and public vehicular areas within the Town.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Town of Stedman, North Carolina, as follows:

CHAPTER ___ Town of Stedman Golf Cart Ordinance

Section ___.01. Policy Statement

This Ordinance is adopted in the interest of public safety. Golf carts, hereinafter "cart(s)," are not designed or manufactured to be used on public streets and roads, hereinafter "street(s)," and the Town of Stedman in no way advocates or endorses their operation on streets. The Town, by regulating such operation is merely addressing safety issues. This Ordinance is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this Ordinance. All persons operating carts must be observant of, and attentive to, the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons that operate or ride carts on streets inside the Town of Stedman do so at their own risk. The Town of Stedman shall have no liability under any theory of liability, for permitting carts to be operated on streets under legislative authority granted by the State of North Carolina, and pursuant to such legislative authority, such cart operation shall be in accordance with this Ordinance.

Section ___.02. Rules and Regulations

Carts shall only be operated on streets within the municipal limits of the Town of Stedman in accordance with the following rules and regulations:

1. Any person who operates a cart in the Town of Stedman assumes all liability associated with operating the cart.
2. Any person who operates a cart must be at least sixteen (16) years of age and possess a valid driver's license required by the State of North Carolina for operation of a motor vehicle. Cart operators must carry their driver's license on their person at all times while operating a cart on the streets in the corporate limits.
3. Carts shall be driven on the streets or other vehicular areas only from dawn to dusk.
4. Hand signals shall be used for turning and stopping.
5. Carts shall be equipped with a rear view mirror and a rear mounted reflective triangular sign of standard form and size which may also contain the optional wording "slow moving vehicle", or similar language.
6. Carts may be driven on all streets in the Town of Stedman with a posted speed limit of 35 mph or less, except Clinton Road (Hwy 24), Carol Street and Hillsboro Street. As to Clinton Road (Hwy 24), Carol Street and Hillsboro Street, they may be crossed at a direct 90 degree angle with due caution.
7. Any person who operates a cart on the streets in the Town of Stedman shall adhere to all applicable State laws concerning the possession and use of alcoholic beverages and illegal drugs, and all applicable State traffic laws.
8. No cart shall be operated in a careless or reckless manner.
9. Carts shall be operated to the right side of the travel lane unless making a left turn.
10. The maximum occupancy of a cart traveling on streets shall be one person per bucket seat or three people per bench seat. Child/infant restraints are required to be used in the cart in the same manner as required for passenger vehicles.
11. Carts shall not be operated on any sidewalk in the Town of Stedman.
12. Liability insurance coverage is required on any golf cart licensed under this Ordinance in an amount not less than those amounts required by North Carolina Motor Vehicle Laws for standard motor vehicles operated on the public highways of the State of North Carolina.
13. 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.
14. No cart shall be operated at a speed greater than is reasonable and prudent for the existing conditions and in no instance at a speed greater than 20 miles per hour.

15. All carts operated on the streets and public vehicular areas in the Town of Stedman must have a valid annual Permit Sticker issued by the Town of Stedman.

a. The annual permit sticker shall be placed on the driver's side of the cart's windshield, if the cart has a windshield. If no windshield, then the permit shall be prominently placed at a location near the driver's side of the vehicle where it is easily visible from oncoming traffic in the opposite direction.

16. All owners of carts operated on streets within the Town shall complete and submit a cart registration form on an annual basis. The completed forms will be maintained by the Town of Stedman. A yearly registration fee will be charged for this permit sticker to cover the costs of implementing and maintaining this Ordinance. Permit stickers will be valid one year from the purchase date.

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| 1. | Initial Inspection by the Town of Stedman (includes annual permit sticker) | \$25.00 |
| 2. | Annual renewal inspections (includes annual permit sticker) | \$20.00 |
| 3. | Re-inspection by the Town of Stedman (if a cart fails the initial or renewal inspection) | \$10.00 |
| 4. | The initial fee and any renewal fees are valid for one year from the purchase date. | |

17. The Town of Stedman retains the right to refuse to issue and/or revoke any permit sticker from any cart at any time for any reasons that he feels is appropriate to ensure the safety and well-being of the citizens of the Town of Stedman or the motoring public. Golf Cart owners who disagree with a decision by the Town of Stedman may file with the Town Clerk a written appeal stating the basis for an appeal to the Town's Board of Commissioners. Hearings held under this division shall be conducted in accordance with local hearing procedure. The Town's Board of Commissioners shall make a final decision on the appeal within 90 days of the date the appeal was filed and shall transmit a written copy of its decision by first class mail.

18. Each owner shall have proof of cart ownership and must complete a Waiver of Liability, releasing the Town of Stedman, its employees, and officials from all liability that may arise as a result of operating a cart on streets inside the Town of Stedman. A current Waiver of Liability must be on file with the Town of Stedman to operate a cart on a Town street.

19. Lost or stolen permit stickers are the responsibility of the owner. A Police report must be filed in the event of a lost or stolen permit sticker. The Town of Stedman shall have discretion in determining whether a permit sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a permit sticker, the Town of Stedman may direct the applicant to reapply, and also resubmit any and all fees necessary, before a replacement permit sticker is issued.

20. Any person who operates a cart on the streets shall have a golf cart rider liability insurance coverage in an amount not less than that required by state law for motor vehicles operated on public highways. Proof of such insurance shall be in the possession of the operator of the cart while operating the cart and a copy shall be provided to the Town of Stedman at the time of permitting.

21. Any act constituting a violation of this Ordinance or failure to comply with any of its requirements shall subject the offender, upon conviction, to a fine not to exceed \$50. Each day of violation shall constitute a separate offense. If an offender fails to pay a fine within ten (10) days of a final judgment or if there are more than six violations of this Ordinance within a permitting period, the privileges and permit granted by this Ordinance shall be revoked by the Town of Stedman.

22. Notwithstanding any prior language to the contrary, carts not maintained within the Town Limits of Stedman and are only occasionally used for special public events not exceeding a 48 hour consecutive time frame, are not specifically authorized by this Ordinance and not regulated thereby.

23. This Ordinance may be enforced as an infraction as provided for in N.C. Gen. Stat. §14-4 or by equitable relief as provided for in N.C. Gen. Stat. §160A-175(d).

This ordinance shall be effective November 6, 2014.

Adopted the 6 day of November, 2014.

Amended April 6th, 2023

Mayor



ATTEST:

Town Clerk



WARNING AND DISCLAIMER OF LIABILITY

Golf carts are not designed, or manufactured, to be used on public streets or public vehicular areas and the Town of Stedman in no way advocates their operation on public streets or public vehicular areas. The Town of Stedman, by regulating such operation, is merely trying to address obvious safety issues, and its regulations are not to be relied upon as a determination that operation on public streets or public vehicular areas is safe or advisable, even if done in accordance with the ordinance. Therefore, the Town of Stedman disclaims all liability for use and operation of golf carts and any such use or operation is based on the driver or passengers' personal assumption of risk. All persons who operate or ride upon golf carts on public streets or public vehicular areas do so at their own risk and peril, and must be observant of, and attentive to, the safety of themselves and others, including, but not limited to, passengers, other motorists, bicyclists and pedestrians.



Golf Cart Owner Registration Town of Stedman, North Carolina

Golf Cart Owner's Name(s): _____

Owner's Physical Address: _____

City/Town: _____ State: _____ Zip: _____

Owner's Mailing Address: _____

City/Town: _____ State: _____ Zip: _____

Owner's Telephone Number(s): _____

Owner's Driver's License Number : _____ State: _____

Make of Golf Cart: _____ Model (Year): _____

Serial Number of Golf Cart: _____

Liability Insurance (Company, Policy Number, Insured): _____

*****Please Attach Copies of Liability Insurance AND Driver's License*****

I have received, read and understood the "Golf Cart Ordinance". I have paid the inspection fee for the above cart. I acknowledge that I will assume all liability, and am fully responsible for the operation of the above cart on the streets and public vehicular areas in the Town of Stedman. I also acknowledge that the Town of Stedman, in providing this privilege, is in no way endorsing the operation of this cart on the streets and public vehicular areas, and does not and will not assume any liability in the operation of the cart. I agree to indemnify and hold harmless the Town of Stedman for any and all liability arising from the use of this golf cart. I will ensure that the permit sticker will remain attached to the cart in the prescribed manner at all times. I further agree that I will obey all the rules and regulations set forth by the Town of Stedman concerning the operation of a cart within the Town limits.

Owner's Signature

Date



Golf Cart Inspection List

Name of Owner: _____

Address: _____

Phone: _____

- Rear View Mirror: _____
- Either:
 - One(1) Triangle Reflector 12 inches high mounted on rear of vehicle: _____
 - Two(2) Reflectors 3 inches in diameter mounted on rear of vehicle: _____
- Two operating headlights: _____
- Two operating tail lights: _____
- Proof of insurance: _____
- Driver's license: _____

Approved by the Town of Stedman: _____

Signature: _____ Date: _____