

STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

ORDINANCE# 0151208-231

AN ORDINANCE GOVERNING THE USE OF GOLF CARTS IN THE TOWN OF INDIAN TRAIL, NORTH CAROLINA

Golf Cart Ordinance of the Town of Indian Trail, North Carolina

§71.22 Golf Cart Ordinance

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts, are not designed or manufactured to be used on public streets, roads and highways, hereinafter "road(s)," and the Town of Indian Trail in no way advocates or endorses their operation on roads. The Town of Indian Trail, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The Town of Indian Trail has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the Town of Indian Trail.

(A) **PURPOSE:** The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town of Indian Trail to promote the health, safety and welfare of persons operating cart(s) within the Town, and to protect the safety of their passengers and other users of roads.

(B) **DEFINITIONS:** For the purpose of this section, the following words and phrases shall have the following meanings.

(B1) **Golf Cart:** 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 MPH. G.S. 20-4.01(12a).

(B2) **Driver's License:** A valid license issued to operate a motor vehicle issued by North Carolina or any other state.

(B3) **Financial Responsibility:** Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.

(B4) **Operator:** Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.

Section 1: Rules and Regulations

This ordinance is to establish guidance in the interest of public safety. Golf carts hereinafter:

1. Golf carts shall not be operated on or alongside a public road or street with a posted speed limit greater than 35 miles per hour.
2. Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been transversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 mph or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e. no riding along a road or crossing at an angle. Under no circumstance is a golf cart allowed to cross a control access facility other than at bridges which cross over or under a control access facility.
3. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. Any person who operates a golf cart must be at least sixteen (16) years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.
5. Any person who operates a golf cart on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.
6. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the Town of Indian Trail which governs the operation of motor vehicles.
7. An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
8. In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.
9. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

10. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
11. At no time shall a Golf Cart be operated on a sidewalk.
12. Golf carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror and a rear "Slow Moving Vehicle" triangle reflector no less than 12 inches in height and width.
13. Golf carts may be operated only during daylight hours, except when being used in performance of a Home Owner's Association (HOA) business related activity or for a business delivery service. When operated at night, a golf cart must also be equipped with the following:
 - (a) A yellow or orange flashing light must be illuminated and visible from the top of the Utility Cart.
 - (b) Two (2) operational headlamps.
 - (c) Two (2) operational tail lamps.
 - (d) Reflectors on front and sides of cart.

14. No golf cart may be operated on the following roads or streets:
 - (a) Old Charlotte Hwy.
 - (b) Old Monroe Rd.
 - (c) Wesley Chapel Stouts Rd.
 - (d) Wesley Chapel Rd.
 - (e) Indian Trail Fairview Rd.
 - (f) Unionville Indian Trail Rd.
 - (g) Secrest Short Cut Rd.
 - (h) Idlewild Rd.
 - (i) Mill Grove Rd.
 - (j) Chestnut Rd.
 - (k) Potter Rd.
 - (l) Waxhaw Indian Trail Rd.
 - (m) Sardis Church Rd.
 - (n) Younts Rd.

Section 2: Registration, Inspection and Fee Prior to Usage effective March 1, 2016.

1. All golf carts must complete a golf cart registration application and submit to Town of Indian Trail. Applicants will be provided with an inspection form to present to the Union County Sheriff's Office (Indian Trail Bureau). Registration will be valid for the calendar year it is issued. Every registration will expire on December 31 each year.
2. A golf cart registration fee of \$25 is due upon application to the Town.
3. Golf Cart owners must have the cart inspected by the Union County Sheriff's Office (Indian Trail Bureau) to ensure that it is outfitted with the following safety equipment:

- (a) – Operable Brakes
 - (b) – Reflective Orange Triangle affixed to the rear
 - (c) – Rubber tires that are in good condition
 - (d) – Lifted carts are allowed, but no cart may be more than 22 inches, measured from the ground to the floor board.
 - (e) – Reflector or reflective tape affixed to the front and both sides
 - (f) - Each owner must have proof of ownership, and liability insurance, and a completed Waiver of Liability, releasing the Town of Indian Trail from liability that may arise as a result of operation of a golf cart inside the Town of Indian Trail.
4. Upon passing the safety inspection, the inspecting Deputy Sheriff will affix a registration decal to the cart, on the left rear corner, so it is visible from behind. A second, duplicate decal will be affixed to the front left lower fender, so it is visible by passing cars. A registration card will be issued to the cart owner and must be signed by the cart owner. Before driving on public roads, the operator of a golf cart must have a valid issued registration issued by the Town of Indian Trail. These documents must be in the golf cart at all times while in operation on public roads. The registration sticker shall be valid for no more than (1) year and must be visible on a golf cart operated on a public road.
 5. Lost or Stolen Permit/Stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.
 6. All golf carts must meet the requirements or minimum standards of safety equipment as set forth above in this Ordinance.
 7. While operating a golf cart on a public road, and requested by law enforcement, all golf cart operators must present a valid driver's license, proof of liability insurance, and current Indian Trail registration.

Section 3: Enforcement

- A. Violation of the provisions of this Ordinance shall constitute an infraction in accordance with Chapter 20 of the North Carolina General Statutes, the maximum penalty for which shall be \$25 (dollars).
- B. Violation of Motor Vehicle law is enforceable by NC Statute, as is with any other type of Motor Vehicle.
- C. Cart registration cards and decals are the property of the Town of Indian Trail. Violations involving Alcohol or Narcotics, Careless Driving, or failure to produce registration and insurance information can result in an immediate revocation, by a UCSO deputy Sheriff, of the Registration Decals and Registration Card, rendering the cart unlawful for street operation in Indian Trail for a calendar year.

Operation of Golf Carts on Public Streets in North Carolina Legislation

GENERAL ASSEMBLY OF NORTH CAROLINA

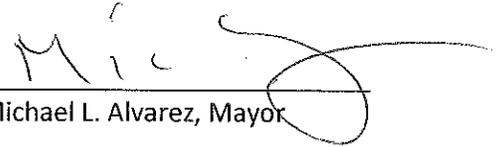
§ 160A-300.6. Regulation of golf carts on streets, roads, and highways.

“(a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a city may, by ordinance, regulate the operation of golf carts, as defined in G.S. 20-4.01(12a), on any public street, road, or highway where the speed limit is 35 miles per hour or less within its municipal limits or on any property owned or leased by the city.

(b) By ordinance, a city may require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts. No person less than 16 years of age may operate a golf cart on a public street, road, or highway.”

AND IT IS SO ORDAINED this 8th day of December 2015.

TOWN OF INDIAN TRAIL COUNCIL


Michael L. Alvarez, Mayor



ATTEST:

Kelley Southward, Town Clerk