



City of North Port

ORDINANCE NO. 2021- 42

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT FLORIDA, SECTION 74-151, RELATED TO THE OPERATION OF GOLF CARTS IN CEDAR GROVE PHASE 1 A; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 316.212 authorizes the use of a golf cart upon any City street that the City has designated for golf cart use, provided that appropriate signage is posted; and

WHEREAS, before designating a City street for golf cart operation, the City Commission must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street; and

WHEREAS, the City Commission desires to restrict the use of golf carts to designated City roads, private property, golf courses, and golf course accessory property; and

WHEREAS, the City Commission has determined that Cedar Grove, Phase 1 A should not be designated for the operation of golf carts; and

WHEREAS, the City Commission has determined that the proposed amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

SECTION 2 – ADOPTION

2.01 Chapter 74 of the Code of the City of North Port, Florida is hereby amended as follows:

“CHAPTER 74 – Traffic and Vehicles

...

ARTICLE VI. – GOLF CARTS AND LOW SPEED VEHICLES

...

Sec. 74-151. – Golf carts.

- (a) *Golf cart operation.* The operation of a golf cart is only permitted on private property, designated city roadways, on a golf course, and golf course accessory property.
- (b) *Designated city roadways.* The operation of a golf cart is only authorized on designated city roadways where appropriate signage is posted in compliance with F.S. § 316.212(1). The city designates the following roadways:
 - (1) ~~All city roads in Cedar Grove, Phase 1 A.~~
 - (1) ~~(2)~~ All city roads in Holiday Park Recreational District;
 - (2) ~~(3)~~ All city roads in Lakeside Plantation Community Development District; and
 - (3) ~~(4)~~ Plantation Boulevard.”

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session on _____, 2021.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on _____, 2021.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY