



City of North Port

ORDINANCE NO. 2020-44

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, BY AMENDING CHAPTER 74, ARTICLE VI, RELATED TO GOLF CARTS AND LOW SPEED VEHICLES; PROVIDING FOR ADOPTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

1 **WHEREAS**, Florida Statutes Section 316.212 authorizes the use of a golf cart upon any City street that has
2 been designated by the City for use by golf carts as indicated by appropriate signage that such operation
3 is allowed; and

4
5 **WHEREAS**, before designating a City street for golf cart operation, the City Commission must first
6 determine that golf carts may safely travel on or cross the public road or street, considering factors
7 including the speed, volume, and character of motor vehicle traffic using the road or street; and

8
9 **WHEREAS**, the City Commission desires to restrict the use of golf carts to designated City roads, private
10 property, golf courses, and golf course accessory property; and

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12 **WHEREAS**, Florida Statutes Section 316.212 provides that no golf cart may be operated on a road that is
13 a part of the State Highway System unless specifically authorized by the Florida Department of
14 Transportation, as indicated by signs posted on the road that such operation is authorized, or as otherwise
15 permitted by the statute; and

16
17 **WHEREAS**, Florida Statutes Section 316.2122 authorizes the use of a low speed vehicle on any road where
18 the posted speed limit is 35 miles per hour or less, and the low speed vehicle is equipped with headlamps,
19 stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields,
20 seat belts, and vehicle identification numbers; and

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22 **WHEREAS**, the City Commission has determined that in the interest of safety, it will prohibit the operation
23 of low speed vehicles on certain City roads; and

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25 **WHEREAS**, the City Commission desires to remove the prohibition on golf cart rentals, as well as language
26 from the Code of the City of North Port, Florida that is repetitive of state statutes; and

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

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31 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**
32 **SECTION 1 – FINDINGS**

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1.01 The recitals outlined above are incorporated by reference as findings of fact.

SECTION 2 – ADOPTION

2.01 The City Commission hereby approves and adopts the following amendments to Chapter 74 of the Code of the City of North Port, Florida:

“Chapter 74 – TRAFFIC AND VEHICLES

. . .

ARTICLE VI. – GOLF CARTS AND LOW SPEED VEHICLES OPERATION ON CITY STREETS

Sec. 74-150. – Use of golf carts on city streets.

Pursuant to F.S. § 316.212, it is the intent of the City Commission of the City of North Port, Florida, to allow golf carts on certain city streets under certain conditions as set forth in this article.

Sec. 74-150 151. – Definitions.

Designated roadway. A roadway designated by the city commission as safe for the operation of golf carts, and where the use of a golf cart is permitted as indicated by appropriate signage posted along the roadway.

Golf cart. A vehicle meeting the definition of golf cart provided in Pursuant to F.S. § 320.01 (22), a “golf cart” is defined as a motor vehicle for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

Designated roadway. A roadway designated by the city as safe for the operation of golf carts and where use of golf carts on the roadway is permitted.

Low-speed vehicle or LSV. A vehicle meeting the definition of low-speed vehicle provided in F.S. § 320.01. All low-speed vehicles must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seatbelts, vehicle identification numbers, efficient brakes, reliable steering apparatus, safe tires, and red reflectorized warning devices in both the front and rear.

Multi-use or multi-modal pathway. A path or trail meeting the definition of multi-use trail provided in the Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways. Multi-use and multi-modal pathways are generally physically separated from motorized vehicular traffic by an open space or barrier with minimal cross flow by motor vehicles, and are used by pedestrians, bicyclists, skaters, and others.

Sec. 74-151 152. – Golf carts. Designated roadways.

(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. Golf carts meeting the definition set forth in section 74-151 and meeting the minimum equipment standards established by Florida Statutes are authorized on designated roadways within the

city. The city commission may designate additional roadways for golf cart, use or change or remove such designation by resolution from time to time.

(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's designated roadways must be identified in this subsection.

(b) ~~The portion of Plantation Boulevard located within the city is a designated roadway. Lakeside Plantation Community Development District shall be responsible for posting appropriate signs on Plantation Boulevard to include all intersections allowing such use, as directed by the city.~~

~~Sec. 74-153. – State roads.~~

~~A golf cart may not be operated on a road or street that is a part of the state highway or U.S. highway system unless specifically authorized by the city and Department of Transportation as provided in F.S. § 316.212(2).~~

~~Sec. 74-152 154. – Low speed vehicles (LSVs). Rules of operation.~~

(a) City roadways.

(1) Low-speed vehicles are prohibited on any road where the posted speed limit is more than 35 miles per hour, except when crossing such a road at an intersection.

(2) In the interest of safety, low-speed vehicles are prohibited on the following city roadways regardless of the posted speed limit:

- a. Atwater Drive
- b. Biscayne Drive
- c. Chamberlain Boulevard
- d. Cranberry Boulevard
- e. Haberland Boulevard
- f. Pan American Boulevard
- g. Panacea Boulevard
- h. Price Boulevard
- i. Salford Boulevard
- j. San Mateo Drive
- k. Sumter Boulevard
- l. Toledo Blade Boulevard

121 (b) Multi-use and multi-modal pathways. Low-speed vehicles may be operated on all city-owned
122 multi-use and multi-modal pathways.

123 ~~(a) Local roads.~~ A golf cart may only be operated on designated roadways after posting of the
124 ~~required sign(s) which authorizes such operation.~~

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126 ~~(b) Hours of operation.~~ A golf cart may only be operated on designated roadways during the hours
127 ~~between sunrise and sunset.~~

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129 ~~(c) Equipment.~~ A golf cart must be equipped with efficient brakes, reliable steering apparatus,
130 ~~safe tires, a rear-view mirror, and red reflectorized warning devices in both the front and rear.~~

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132 ~~(d) Unlicensed drivers and age.~~ No golf cart shall be operated by anyone under the age of 16 years
133 ~~and the driver, regardless of age, must possess a valid driver's license or learner's permit~~
134 ~~subject to the restrictions set forth by Florida Statutes.~~

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136 ~~(e) Compliance with traffic laws.~~ Golf carts shall comply with all applicable local and state traffic
137 ~~laws and may be ticketed for traffic violations in the same manner as a motor vehicle under~~
138 ~~Florida law and shall be occupied by no more passengers than for whom there are seats in~~
139 ~~the golf cart.~~

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141 ~~(f) No rental.~~ There shall be no operation of rented golf carts in the city on the various streets,
142 ~~rights of way, alleys or property of the City.~~

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144 **Sec. 74-~~153~~ 155. – Penalties.**

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146 A violation of this article is a noncriminal traffic infraction punishable as a moving violation as
147 provided in F.S. § 318.18.

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149 ~~(a) A violation of Section 74-152, section 74-153, subsection 74-154(a) or (b) is a noncriminal~~
150 ~~traffic infraction punishable as a moving violation as provided in F.S. § 318.20, as amended.~~

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152 ~~(b) A violation of subsection 74-154(c) is a noncriminal traffic infraction punishable as a~~
153 ~~nonmoving violation as provided in F.S. § 318.20.~~

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155 ~~(c) A violation of subsection 74-154(d) is a noncriminal traffic infraction punishable as a~~
156 ~~nonmoving violation as provided in F.S. § 318.20.~~

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158 ~~(d) A violation of subsection 74-154(e) shall be punishable as provided in F.S. ch. 318.~~

159 (e) A violation of subsection 74-154(f) is punished as follows:

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161 (1) First violation \$ ~~58.00~~

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163 (2) Second violation if violation occurs within two years of first violation ~~158.00~~

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165 (3) Third violation if violation occurs within four years of second violation ~~258.00~~"

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167 **SECTION 3 – CONFLICTS**

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169 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or
170 portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

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172 **SECTION 4 – SEVERABILITY**

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174 4.01 If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason
175 held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be
176 deemed a separate, distinct, and independent provision and such holding shall not affect the
177 validity of the remaining portions hereof.

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179 **SECTION 5 – CODIFICATION**

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181 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any
182 additional codification information and notations appear in *italics*. These editorial notations shall
183 not appear in the codified text.

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185 **SECTION 6 – EFFECTIVE DATE**

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187 6.01 This ordinance shall take effect immediately upon adoption by the City Commission of the City of
188 North Port, Florida.

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191 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public
192 session on the 10th day of November 2020.

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194 PASSED and DULY ADOPTED by the City Commission of City of North Port, Florida on the second and final
195 reading in public session this ____ day of _____ 2020.

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197 CITY OF NORTH PORT, FLORIDA

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202 MAYOR

205 ATTEST

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209 _____
HEATHER TAYLOR, CMC

210 CITY CLERK

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213 APPROVED AS TO FORM AND CORRECTNESS

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217 _____
AMBER L. SLAYTON

218 CITY ATTORNEY