

Ordinance #2022-7

**ORDINANCE AMENDING CHAPTER 74 OF THE CITY CODE ENTITLED
“STREETS AND SIDEWALKS” TO REGULATE THE OPERATION OF GOLF
CARTS ON PUBLIC STREETS, ROADS, AND HIGHWAYS WITHIN THE CITY
WHERE THE SPEED LIMIT IS 35 MILES PER HOUR OR LESS**

BE IT ORDAINED, by the Mayor and Winston-Salem City Council as follows:

Section 1. Article XIV of Chapter 74 is hereby created to read as follows:

“ARTICLE XIV. GOLF CARTS

Sec. 74-512. Purpose.

Pursuant to the authority granted in § G.S. 160A-300.6, the purpose of this article is to regulate the operation of golf carts on public streets, roads, and highways within the city where the speed limit is 35 miles per hour or less.

Sec. 74-513. Definitions.

For the purpose of this article, the following words and phrases shall have the following meanings:

(1) *Golf cart.* A gas-powered or electric 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.

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

(3) *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 highway in the State of North Carolina.

(4) *Operator.* A person over 16 years of age and holding a current and valid driver's license, who may operate a golf cart in the city pursuant to the requirements of this article.

Sec. 74-514. Operation of golf carts.

Golf carts may only be operated on public streets, roads, and highways within the city where the speed limit is 35 miles per hour or less, and only in the following locations and circumstances:

(1) In the central business district and central industrial district as vehicles for hire only, as further set forth in Article XI of Chapter 78 of the city's Code of Ordinances;

(2) When operated by or on behalf of a hospital, to or from the primary campus of the hospital and surrounding parcels of land that support the operations of the hospital.

(3) When driven directly across the street from one part of a golf course to access another part of the golf course.

(4) When operated pursuant to a special event permit issued in accordance with the applicable city code provision.

Sec. 74-515. Rules and regulations.

(a) Golf carts must be 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 cart) which are visible from a distance of 500 feet, rear vision mirror and a rear triangle reflector of the same type required by North Carolina law, four operating directional turn blinkers (two each side of the front and rear of the cart), and seat belts for all passengers.

(b) Golf cart drivers must have a current and valid driver's license in their name and have it on their person while operating the cart.

(c) Golf cart drivers will stay to the far right of the traveled portion of the road and yield the right-of-way to all traffic.

(d) All applicable state and municipal laws shall be adhered to, including applicable prohibitions on the possession and use of alcoholic beverages and illegal drugs or any substance which impairs judgment. All laws regarding open containers shall apply to golf carts operated on city streets.

(e) The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating and seat beats are installed and provided in the golf cart and the operator and all occupants shall be seated in the golf cart while in operation. No part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion and no passengers shall be carried on the part of the golf cart designed to carry golf bags.

(f) The operator of the golf cart shall comply with all traffic laws, rules and regulations adopted or enacted by the State of North Carolina and the City of Winston-Salem which governs the operation of motor vehicles. All seat beats shall be buckled in accordance with the State of North Carolina laws and regulations pertaining to motor vehicles.

(g) Golf carts shall not be operated on sidewalks, pedestrian walkways, greenways, or within city parks, except by official law enforcement officers or city personnel engaged in the performance of their duties.

(h) Golf carts shall not be operated on private property, without the permission and consent of the property owner. As long as the operator of the golf cart has obtained the permission and consent of the property owner, the golf cart operator may pick up passengers from and discharge passengers onto private property.

(i) No golf cart may be operated on any city street with a posted speed limit of greater than 35 mph, provided, however, that golf carts may cross over roads that have a posted speed limit of greater than 35 mph as per G.S. 160A-300.6.

(j) Children must be properly seated and belted while the golf cart is in motion and may not be transported in a negligent or intentionally reckless manner.

(k) It shall be unlawful for any operator to receive or discharge passengers in the roadway; instead, such operator shall pull up as near as practicable to the sidewalk, or, in the absence of a sidewalk, as near to the side of the road as possible, and there receive or discharge passengers.

(l) *Special event permit.* Any owner may make application to the office of business inclusion and advancement for a special event permit to allow his/its golf cart business to operate during a special event. Such application shall be in writing and shall specify the day(s) and hour(s) requested for the special event and the route to be taken. The director of the office of business inclusion and advancement or his designee shall grant a special event permit only on finding that the convenience of the public in the use of the city's streets would not be unduly disturbed by the operation of golf carts during such special event.

(m) *Disqualified vehicles.* All-terrain vehicles, four-wheel utility vehicles, go-karts, and other similar utility vehicles, which are not manufactured for operation on a golf course, and/or a golf cart that has been modified so that it no longer meets the definition of golf cart may not be registered as a golf cart under this article, nor shall such vehicles be operated on public roads, streets and highways within the city, unless such vehicles are registered and permitted under the motor vehicle laws of North Carolina.

Sec. 74-516. Signage on golf carts.

The legal name, logo, or any other signage which displays the identity of the entity responsible for the operation of the golf cart shall be conspicuously displayed on the golf cart at all times and in a manner that does not impair the operator's vision.

Sec. 74-517. Penalty.

A violation of this article or any part thereof shall constitute a class 3 misdemeanor and shall subject the offender to a fine of not more than \$500.00.

Sec. 74-518. Severability.

If any section, subsection, sentence or term of this chapter or any application thereof to any person or circumstance is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of any remaining portion of the ordinance codified herein, or its application to any other person or circumstance.

Sec. 74-519. Enforcement.

It shall be the policy of the police department to issue a written warning, North Carolina State Uniform Citation, or a Winston-Salem Ordinance Citation against any person the officer has

probable cause to believe has violated this article, whether the offending person is a juvenile or any other person.”

Section 2. This ordinance shall become effective upon adoption.