

ORDINANCE NO. 22-106

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
AMENDING SECTION 2-22-9 OF THE MANATEE
COUNTY CODE RELATING TO DESIGNATION OF
CERTAIN ROADS PERMITTING THE OPERATION OF
GOLF CARTS; CREATING GOLF CART ROAD
DESIGNATIONS WITHIN FAIR LANE ACRES;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Section 316.212, Florida Statutes, provides for the operation of golf carts upon public roads and streets under certain circumstances; and

WHEREAS, Subsection 316.212(1), Florida Statutes, provides that golf carts may be operated upon a county road or street that has been designated by a county for use by golf carts; and

WHEREAS, Subsection 316.212(1), Florida Statutes, provides that, prior to designating a county road or street for use by golf carts, the County 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, Subsection 316.212(1), Florida Statutes, provides that, upon a determination that golf carts may be safely operated on a designated road or street, the County must post appropriate signs to indicate that such operation is allowed; and

WHEREAS, Manatee County Resolution No. R-14-52 sets forth the procedures and criteria relating to the designation of public rights-of-way for the operation of golf carts; and

WHEREAS, County staff received a request from residents within Fair Lane Acres, in accordance with Manatee County Resolution No. R-14-52, requesting that the Board of County Commissioners approve an Ordinance designating certain roads and streets within Fair Lane Acres as golf cart roads; and

WHEREAS, County staff have reviewed the request, evaluated the public roads and streets, and considered factors including the speed, volume, and character of motor vehicles using the public roads and streets within Fair Lane Acres, and determined that the operation of golf carts may safely travel

on or cross certain public roads and streets within Fair Lane Acres; and

WHEREAS, County staff have recommended revisions to the public roads and streets approved for the operation of golf carts by adding certain roads and streets within Fair Lane Acres to the golf cart roads designated in Section 2-22-9 of the Manatee County Code; and

WHEREAS, based on the recommendations of County staff and considering factors including the speed, volume, and character of motor vehicle traffic using the roads and streets, the Board of the County Commissioners of Manatee County hereby determines that golf carts may safely travel on the public roads and streets within Fair Lane Acres designated in this Ordinance amending Section 2-22-9 of the Manatee County Code; and

WHEREAS, the Board of County Commissioners of Manatee County finds and determines that it is in the best interest of the County and the residents of the County to revise the public roads and streets approved for the operation of golf carts by adding certain roads and streets within Fair Lane Acres and to amend the golf cart roads designated in Section 2-22-9 of the Manatee County Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County:

Section 1. Subsection 2-22-9(g)(1)j. of the Manatee County Code is hereby created to add certain approved roadways within the Fair Lane Acres community, as follows:

Sec. 2-22-9. Designation of certain roads permitting the operation of golf carts.

(a) through (f): no change.

(g) Golf cart road designations and golf cart crossing areas.

(1) Golf cart road and street designations. Roads and streets within the following developments and districts:

a. through i.: no change.

j. Fair Lane Acres:

<u>5th Street Court West</u>	<u>From 49th Avenue West to 50th Avenue West</u>
<u>6th Street Court West</u>	<u>From 51st Avenue Terrace West to SR 70</u>
<u>8th Street West</u>	<u>From 51st Avenue West to 52nd Avenue West</u>
<u>8th Street Court West</u>	<u>From 52nd Avenue West to the cul-de-sac</u>
<u>9th Street West</u>	<u>From 49th Avenue West to 9th Street Court West</u>

<u>12th Street West</u>	<u>From 49th Avenue West to 50th Avenue West</u>
<u>49th Avenue West</u>	<u>From 5th Street West to 12th Street West</u>
<u>49th Avenue Drive West</u>	<u>From 5th Street Court West to 12th Street West</u>
<u>49th Avenue Terrace West</u>	<u>From 5th Street Court West to 12th Street West</u>
<u>50th Avenue West</u>	<u>From 5th Street Court West to 12th Street West</u>
<u>50th Avenue Drive West</u>	<u>From 5th Street West to 9th Street West</u>
<u>50th Avenue Plaza West</u>	<u>From 5th Street West to 9th Street West</u>
<u>50th Avenue Terrace West</u>	<u>From 5th Street West to 9th Street West</u>
<u>51st Avenue West</u>	<u>From 5th Street West to 9th Street West</u>
<u>51st Avenue Drive West</u>	<u>From 5th Street West to 8th Street West</u>
<u>51st Avenue Plaza West</u>	<u>From 5th Street West to 9th Street West</u>
<u>51st Avenue Terrace West</u>	<u>From 5th Street West to 8th Street West</u>
<u>52nd Avenue West</u>	<u>From 6th Street Court West to 9th Street West</u>
<u>Gardenia Drive</u>	<u>From 49th Avenue Drive West to 49th Ave Terrace West</u>

Section 2. Pursuant to Section 125.68(1), F.S., the Codifier shall codify the substantive amendments to the Manatee County Code contained in Section 1 of this Ordinance as provided therein, and shall not codify any other sections not designated for codification.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. This Ordinance shall take effect immediately upon filing with the State of Florida Department of State.

[Signature block to follow.]

DULY ADOPTED with a quorum present and voting this ____ day of _____, 2022.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk