

ORDINANCE NO. 16-27

**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; PROVIDING FOR DEFINITIONS;  
AMENDING REQUIREMENTS FOR POSTING SIGNS;  
INCORPORATING PROVISIONS OF FLORIDA  
STATUTES RELATING TO GOLF CART OPERATION  
AND EQUIPMENT; PROVIDING FOR ENFORCEMENT  
AND PUNISHMENT PURSUANT TO FLORIDA  
STATUTES; CREATING GOLF CART ROAD  
DESIGNATIONS WITHIN HEATHER HILLS ESTATES  
AND THE VILLAGE OF CORTEZ; 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. 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 Heather Hills Estates, in accordance with Manatee County Resolution No. 14-52, requesting that the Board of County Commissioners approve an ordinance designating certain roads and streets within Heather Hills Estates 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 Heather Hills Estates, and determined that the operation of

golf carts may safely travel on or cross certain public roads and streets within Heather Hills Estates; 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 Heather Hills Estates 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 County Commissioners of Manatee County hereby determines that golf carts may safely travel on the public roads and streets within Heather Hills Estates subdivision designated in this Ordinance; 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 in the Heather Hills Estates subdivision and to amend the golf cart roads designated in Section 2-22-9 of the Manatee County Code; and

**WHEREAS**, County staff received a request from residents in the Village of Cortez, in accordance with Manatee County Resolution No. 14-52, requesting that the Board of County Commissioners approve an ordinance designating certain roads and streets in the Village of Cortez 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 the Village of Cortez, and determined that the operation of golf carts may safely travel on or cross certain public roads and streets within the Village of Cortez; 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 the Village of Cortez 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 County Commissioners of Manatee County hereby determines that golf carts may safely travel on the public roads and streets in the Village of Cortez 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 the Village of Cortez 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, FLORIDA:**

**Section 1.** Section 2-22-9 of the Manatee County Code is hereby amended to effect textual changes and to add certain approved roadways within the Heather Hills and Village of Cortez communities, as follows:

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

(a) The definitions of the applicable words and terms set forth in sections 316.003 and 320.01, Florida Statutes, as amended, shall apply to this section.

(~~ba~~) The operation of a golf cart upon specified roads and streets of this county is permitted and golf carts may be operated upon those county roads and streets within the unincorporated area of ~~Manatee County, Florida~~ the county, set forth in paragraph subsection (gf)(1) of this section.

(~~cb~~) The operation of a golf cart is permitted and golf cart crossing areas shall be established across those county roads and streets located within the unincorporated area of ~~Manatee County, Florida~~ the county, set forth in paragraph subsection (gf)(2) of this section.

(~~de~~) The county administrator ~~Public Works Department of Manatee County~~ shall cause to be posted appropriate signs on the roads and streets and at the crossings listed ~~shown~~ in paragraph subsection (gf) of this section to indicate ~~warn motorists~~ that the operation of a golf carts is allowed.

(~~ed~~) A The operation of golf carts as provided by subsections (b) and (c) of this section must comply with all of the requirements set forth in section 316.212, Florida Statutes, may only be operated as amended. provided by subsections (a) and (b) of this section A golf cart may be operated only:

- (1) During the hours between sunrise and sunset, unless the golf cart is equipped with headlights, brake lights, turn signals, and a windshield;
- (2) Within one mile of a bona fide golf course By a person who is not under the age of 14;
- (3) If the golf cart it has been equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both front and rear; and
- (4) If The warning signs required under subsection (e) by paragraph (d) of this section have been posted and remain posted.;

(f) Pursuant to subsection 316.212(9), Florida Statutes, violations The provisions of this subsection (d) may be enforced are punishable as provided in chapter F.S. Ch. 316 and 318, Florida Statutes, as amended, violations subject to the penalties provided therein.

(~~e~~) ~~Nothing herein shall be deemed to permit the operation of golf carts in any manner not consistent with F.S. § 316.212, and any other applicable provisions of Florida law, including, but not limited to, rules and regulations establishing equipment that must be~~

~~maintained on the golf cart or the hours during which a golf cart may be operated on roads or streets.~~

(g~~f~~) 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 f.: no change

g. Heather Hills Estates:

<u>1st Street West</u>	<u>From 48th Avenue West to 50th Avenue Terrace West</u>
<u>2nd Street West</u>	<u>From 49th Avenue Drive West to 50th Avenue West</u>
<u>3rd Street West</u>	<u>From 48th Avenue West to 49th Avenue West</u>
<u>3rd Street West</u>	<u>From 49th Avenue Drive West to 50th Avenue West</u>
<u>4th Street West</u>	<u>From 48th Avenue Drive West to 50th Avenue Terrace West</u>
<u>48th Avenue West</u>	<u>From 1st Street West to 3rd Street West</u>
<u>48th Avenue Drive West</u>	<u>From 1st Street West to 5th Street West</u>
<u>48th Avenue Terrace West</u>	<u>From 1st Street West to 3rd Street West</u>
<u>49th Avenue West</u>	<u>From 1st Street West to 4th Street West</u>
<u>49th Avenue Drive West</u>	<u>From 1st Street West to 4th Street West</u>
<u>49th Avenue Terrace West</u>	<u>From 3rd Street West to 5th Street West</u>
<u>50th Avenue West</u>	<u>From 1st Street West to 4th Street West</u>
<u>50th Avenue Drive West</u>	<u>From 1st Street West to 4th Street West</u>
<u>50th Avenue Plaza West</u>	<u>From 1st Street West to 4th Street West</u>
<u>50th Avenue Terrace West</u>	<u>From 1st Street West to 4th Street West</u>

h. Village of Cortez:

<u>119th Street West</u>	<u>From Cortez Road West to dead end</u>
<u>121st Street Court West</u>	<u>From Cortez Road West to dead end</u>
<u>123rd Street West</u>	<u>From Cortez Road West to 46th Avenue West</u>

<u>123rd Street Court West</u>	<u>From Cortez Road West to 46th Avenue West</u>
<u>124th Street West</u>	<u>From Cortez Road West to 46th Avenue West</u>
<u>124th Street Court West</u>	<u>From Cortez Road West to Bayview Avenue</u>
<u>125th Street West</u>	<u>From Cortez Road West to dead end</u>
<u>45th Avenue West</u>	<u>From 119th Street West to 125th Street West</u>
<u>45th Avenue Drive West</u>	<u>From 121st Street Court West to dead end</u>
<u>46th Avenue West</u>	<u>From 123rd Street West to 124th Street West</u>
<u>Bayview Avenue</u>	<u>From 124th Street West to 124th Street Court West</u>

**Section 2.** 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 3.** Pursuant to Section 125.68(1), Florida Statutes, 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 4.** This Ordinance shall take effect immediately upon filing with the Department of State.

**DULY ADOPTED** with a quorum present and voting this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

By: \_\_\_\_\_  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk