

ORDINANCE NO. 23-489

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME RULE MUNICIPAL CORPORATION, AMENDING CHAPTER 18, ARTICLE V, "MOTOR VEHICLES AND TRAFFIC," OF THE CITY OF DENTON CODE OF ORDINANCES, TO PERMIT THE OPERATION OF GOLF CARTS AND OFF-HIGHWAY VEHICLES ON UNIVERSITY CAMPUS STREETS ADJACENT TO THE UNIVERSITY OF NORTH TEXAS (UNT) AND TEXAS WOMAN'S UNIVERSITY (TWU) CAMPUS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Transportation Code authorizes the governing body of a municipality to regulate and control the operation of golf carts or off-highway vehicles on highways within the city's corporate boundaries,

WHEREAS, City Council adopted Ordinance 22-1901 which revised speed limits to classify all streets within the campus as University Campus Streets and designated a 20 mph speed limit; and

WHEREAS, operation of golf carts or "off-highway vehicles" will assist the University of North Texas and Texas Woman's University to efficiently and safely conduct University business with reduced carbon emissions, NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Chapter 18 "Motor Vehicles and Traffic" of the Code of Ordinances of the City of Denton, Texas is hereby amended by adding Section 18-154, which shall read as follows:

Sec. 18-154 Operation of golf carts or "off-highway vehicles" on highways for University business

Definitions. "Highway" means a road, street, way, thoroughfare, or bridge that is in the city of Denton, that is for the use of vehicles, and that is not privately owned or controlled. All other terms used within this ordinance should be assigned the definitions set out in the Texas Transportation Code.

Required Equipment. Golf carts or off-highway vehicles operated pursuant to this section must be equipped with headlamps, taillamps, reflectors, parking brake, mirrors, and any additional equipment required under the Texas Transportation Code for operation of golf carts or off-highway vehicles on highways.

Requirements for Operators. A person who operates a golf cart or off-highway vehicle on a highway pursuant to this section must be over the age of 18 and hold a valid driver's license.

Permissible Operation. Golf carts or off-highway vehicles may be operated for official University of North Texas business purposes with valid University identification and University logos displayed on the vehicle while operating along University Campus Streets as defined in Ordinance 22-1901 running through and adjacent to the University of North Texas campus with posted speed limits of not more than 20 miles per hour.

Except as provided by this section or by Section 18-173, a golf cart or off-highway vehicle may not be operated on any highway within the City of Denton unless such operation is otherwise permitted by the Texas Transportation Code.

SECTION 2. Chapter 18 “Motor Vehicles and Traffic” of the Code of Ordinances of the City of Denton, Texas is hereby amended by adding Section 18-173, which shall read as follows:

Sec. 18-173. Operation of golf carts or “off-highway vehicles” on highways for University business

Definitions. “Highway” means a road, street, way, thoroughfare, or bridge that is in the city of Denton, that is for the use of vehicles, and that is not privately owned or controlled. All other terms used within this ordinance should be assigned the definitions set out in the Texas Transportation Code.

Required Equipment. Golf carts or off-highway vehicles operated pursuant to this section must be equipped with headlamps, taillamps, reflectors, parking brake, mirrors, and any additional equipment required under the Texas Transportation Code for operation of golf carts or off-highway vehicles on highways.

Requirements for Operators. A person who operates a golf cart or off-highway vehicle on a highway pursuant to this section must be over the age of 18 and hold a valid driver’s license.

Permissible Operation. Golf carts or off-highway vehicles may be operated for official Texas Woman’s University business purposes with valid University identification and University logos displayed on the vehicle while operating along University Campus Streets as defined in Ordinance 18-73 running through and adjacent to the Texas Woman’s University campus with posted speed limits of not more than 20 miles per hour.

Except as provided by this section or by Section 18-154, a golf cart or off-highway vehicle may not be operated on any highway within the City of Denton unless such operation is otherwise permitted by the Texas Transportation Code.

SECTION 3. All provisions of the ordinances of the City of Denton in conflict with the provision of this ordinance are hereby repealed. The repeal of any ordinance or any portion thereof by the preceding text shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take

effect and such shall remain in force for all intents and purposes as if such ordinance or part thereof so repealed shall remain in force.

SECTION 4. If any section, article, paragraph, sentence, phrase, clause, or word in this ordinance, or application thereof to any persons or circumstances, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; the City Council declares that it would have ordained such remaining portion despite such invalidity, and such remaining portion shall remain in full force and effect.

SECTION 5. Any person violating any provision of this ordinance shall, upon conviction, be found guilty of a misdemeanor and fined a sum of not more than two hundred dollars (\$200.00) for each violation.

SECTION 6. The City Secretary is hereby directed to record and publish the above regulations in the City's Code of Ordinances.

SECTION 7. Pursuant to Section 2.09(c) of the Charter for the City of Denton, this ordinance shall become effective fourteen (14) days from the date of this passage and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record Chronicle, the official newspaper of the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this Ordinance was made by Gerard Hudspeth and seconded by Chris Watts; the Ordinance was passed and approved by the following vote [7 - 0]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Vicki Byrd, District 1:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Brian Beck, District 2:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Paul Meltzer, District 3:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Joe Holland, District 4:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Brandon Chase McGee, At Large Place 5:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Chris Watts, At Large Place 6:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

[Handwritten signature]

BY: 

BY: Benjamin N. Samples, JF

Digitally signed by Benjamin Samples
 DN: cn=Benjamin N. Samples, o=US Coast
 Guard, ou=Department of Homeland Security,
 email=benjamin.samples@uscg.mil, c=US
 Date: 2020.06.02 11:49:01 -0500

Benjamin N. Sampson, Jr.

Digitally signed by Benjamin Semples
DN: cn=B, o=Hydrosol, c=Canada,
ou=Department of Health and Human Services,
ou=Government of Canada, email=benjamin.semples@canada.ca,
serial=2023.06.02.11:41:01-0500Z

