

**ORDINANCE NO. 2015-14**

**AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL AMENDING CHAPTER 23 “TRAFFIC AND MOTOR VEHICLES” ARTICLE VIII. “GOLF CARTS AND NEIGHBORHOOD ELECTRIC VEHICLES (NEVS)” SECTION 23-300 “DEFINITIONS” AND SECTION 23-306 BY ADDING DEFINITION FOR A GOLF CART RENTAL BUSINESS; ADDING REQUIREMENTS FOR SEAT BELTS, SPECIFIC LANGUAGE TO BE INCLUDED IN RENTAL CONTRACT AND THE DISPLAY OF OFFICIAL RULES NOTICE, STICKER OR PLACARD ON ALL GOLF CARTS; PROVIDING FOR SEVERANCE, READING, AND EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS:**

**SECTION 1. ADDITION**

That Chapter 23 “Traffic and Motor Vehicles”, Article VIII. “Golf Carts and Neighborhood Electric Vehicles (NEVS)” Section 23-300. “Definitions” and Section 23-206 “Exclusions and Limitations” is hereby added to wit:

**Sec. 23-300. - Definitions.**

\* \* \* \* \*

*Golf cart license fee* shall mean a charge imposed as specified in this chapter for the granting of golf cart license and the issuance of a golf cart license certificate.

*Golf cart rental business* shall mean any business or individual that provides golf carts or NEV’s to the general public or any business or individual transaction that includes a golf cart or NEV for use including but not limited to rental of a hotel/motel room, or dwelling unit who’s rental includes use of a golf cart or NEV.

*Low-speed vehicles (LSVs)* also known as neighborhood electric vehicles (NEVs).

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**Sec. 23-306. - Exclusions and limitations.**

(a) The following exclusions and limitations apply to NEVs and to the licensing and operation of any golf cart licensed by the City of Port Aransas:

\* \* \* \* \*

(14) The driver and every occupant of a golf cart and NEV must remain seated in a seat designed to hold passengers and secured by a seat belt, while the golf cart or NEV is in motion.

\* \* \* \* \*

- (b) All golf cart rental businesses shall provide a written contract on their own form that is signed by each designated driver. Said contract shall include, at a minimum, the exclusions and limitations in bold print on the front or first page of said contract form as follows:
- Golf carts and NEVs may only be operated by persons with a valid operator's permit and/or driver's license.
  - Golf carts and NEVs may only be operated upon a public street or highway with a speed limit of not more than thirty-five (35) MPH unless otherwise restricted.
  - Golf carts and NEVs may not be operated on highway 361, south of the intersection of Avenue G.
  - A golf cart and NEVs may cross a street or highway with a speed limit of more than thirty-five (35) MPH if said crossing occurs at an intersection and said crossing is perpendicular to the street or highway with a posted speed limit of more than thirty-five (35) MPH.
  - Golf carts and NEVs must move to the right and yield the right-of-way to faster moving vehicles.
  - Golf carts and NEVs may not be operated upon any public sidewalk, pedestrian walkway, playground, a public park, school ground, or other public recreational areas, not designated for motor vehicle traffic.
  - The driver and every occupant of a golf cart and NEV must remain seated in a seat designed to hold passengers, while the golf cart or NEV is in motion.
  - No person may ride in the lap of the driver or any other occupant.
- (c) Each golf cart and NEV shall prominently display, in view of the driver, the official rules notice, sticker and/or placard provided solely by the city at the time of application.

## **SECTION 2. SEVERABILITY**

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

## **SECTION 3. READING**

As provided by Article III, Section 13 and Article III, Section 12(b) of the Charter of the City of Port Aransas, this ordinance or the caption of it shall be read at three city council meetings with at least one week elapsing between each reading.

## **SECTION 4. EFFECTIVE DATE**

As provided by Article III, Section 12.C. and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final reading and on publication in the Ordinance caption in the official newspaper of the City.

**PASSED, ORDAINED, APPROVED and ADOPTED** this the 17<sup>th</sup> day of DECEMBER, 2015.



**CITY OF PORT ARANSAS, TEXAS**

A handwritten signature in black ink, appearing to read 'Keith McMullin', is written over a horizontal line.

Keith McMullin, Mayor

**ATTEST:**

A handwritten signature in blue ink, appearing to read 'Irma G. Parker', is written over a horizontal line.

Irma G. Parker

1<sup>st</sup> Reading: October 15, 2015

2<sup>nd</sup> Reading: November 19, 2015

3<sup>rd</sup> Reading: December 17, 2015