

**CITY OF HOLMES BEACH
ORDINANCE NO. 23-20**

AN ORDINANCE OF THE CITY OF HOLMES BEACH, FLORIDA, AMENDING SECTION 62-39. STANDARDS FOR GOLF CARTS OPERATING ON CITY STREETS, FOR COMPLIANCE WITH CHANGES IN STATE LAW REGARDING THE AGE OF OPERATION OF GOLF CARTS; TO PROVIDE FOR CONFLICTS AND SEVERABILITY; AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the State Legislature has amended Chapter 316.212, Fla. Stat. regarding the operation of golf carts effective October 1, 2023, to include requiring all operators of golf cart to either possess a valid driver's license or learner's permit, or be over the age of 18; and

WHEREAS, the City Commission of Holmes Beach, Florida, recognizes this change in statute requires a change in the City's Code of Ordinances regulating golf carts.

NOW, THEREFORE, be it ordained by the City Commission of the City of Holmes Beach, Florida, as follows:

SECTION 1. The above "whereas" clauses are adopted herein as findings of fact.

SECTION 2. Chapter 62 – Traffic and Vehicles, Article II. – Stopping, Standing and Parking, Section 62-39. Standards for golf carts operating on city streets, is amended as follows:

Sec. 62-.39. Standards for golf carts operating on city streets.

(a) Use of golf carts upon City streets.

- (1) All use of golf carts on City streets shall be in strict accordance with F.S. § 316.212, and any amendments thereto.
- (2) Golf carts may only be operated by persons who possess a valid learner's driver license, a valid driver license, or are aged sixteen eighteen (168) or older and in possession of a valid form of government-issued photographic identification. ~~There is no requirement that the person secure and maintain a valid driver's license to operate a golf cart.~~
- (3) All persons operating a golf cart on City streets must comply with all other applicable traffic laws regarding the operation of such a motor vehicle.
- (4) All golf carts operating on City streets must comply with all the standards set forth in state statutes for use of golf carts on public rights-of-way.

SECTION 3. If any section, subsection, paragraph, sentence, clause, or phrase in this Ordinance is held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions of this Ordinance.

SECTION 4. Any section or provision in the City's Code of Ordinances that conflicts with the provisions of this Ordinance is hereby superseded.

SECTION 5. This Ordinance shall be effective on October 1, 2023, upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Holmes Beach.

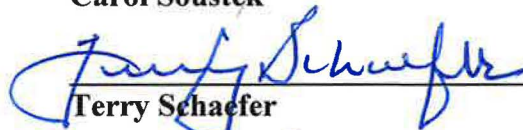
PASSED AND ADOPTED, by the City Commission of the City of Holmes Beach, Florida, in regular session assembled, this 24th day of October, 2023.

First Reading: 9-26-23

Publication Date: 9-29-23

Second Reading and Public Hearing Date: 10-24-23


Carol Soustek


Terry Schaefer

Absent
Pat Morton


Dan Diggins


Greg Kerchner

APPROVED BY ME THIS 24th DAY OF October, 2023.


Judy Titsworth, Mayor

ATTEST: 
Stacey Johnston, MMC, City Clerk