

**ORDINANCE NO. 16-14**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, AMENDING SECTION 21-60.1 OF CHAPTER 21, ARTICLE III OF THE OKALOOSA COUNTY CODE OF ORDINANCES; AUTHORIZING THE USE OF GOLF CARTS ON 1<sup>ST</sup> AVENUE AND PORTIONS OF 8<sup>TH</sup> STREET WITHIN THE LAKE LORRAINE SUBDIVISION; MAKING FINDINGS; ESTABLISHING CERTAIN RESTRICTIONS FOR THE USE OF GOLF CARTS WITHIN THE LAKE LORRAINE SUBDIVISION; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**RECITALS:**

**WHEREAS**, section 316.212, Florida Statutes, authorizes counties to designate certain county roads for lawful operation of golf carts if the County first determines that golf carts may travel on or cross such county roads upon considering the speed, volume and character of the motor vehicle using those county roads; and

**WHEREAS**, the Board of County Commissioners (the "Board") has determined, after considering factors including speed, volume, and the character of motor vehicle traffic within the Lake Lorraine subdivision that golf carts may safely travel on or cross certain public roads and streets within the Lake Lorraine subdivision subject to the restrictions contained herein; and

**WHEREAS**, section 316.212, Florida Statutes, provides that appropriate signs shall be posted to indicate that golf cart operation is allowed; and

**WHEREAS**, the operation of golf carts upon county roads by persons not holding a valid driver's license constitutes a threat to the health, safety and welfare of the public; and

**WHEREAS**, the Board believes that regulations proposed in this Ordinance promote and enhance the health, safety and welfare of its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:**

**SECTION 1. FINDINGS OF FACT.** The above recitals are incorporated by reference into this Ordinance and such recitals are adopted as Findings of Fact.

**SECTION 2. AMENDMENT OF SECTION 21-60.1 OF THE OKALOOSA COUNTY CODE OF ORDINANCES.** Chapter 21, Article III, section 21-60.1 of the Okaloosa County Code of Ordinances, is amended as follows:

Sec. 21-60.1. Use of golf carts within the Lake Lorraine subdivision, Meigs Drive, ~~and~~ Dogwood Drive, 1<sup>st</sup> Avenue, and portions of 8<sup>th</sup> Street areas of unincorporated Shalimar.

Golf carts may travel on county-maintained roads within the Lake Lorraine subdivision (East of 12<sup>th</sup> Avenue/12<sup>th</sup> Street and 4<sup>th</sup> Avenue) and Meigs Drive, ~~and~~ Dogwood Drive, 1<sup>st</sup> Avenue, and 8<sup>th</sup> Street between 1<sup>st</sup> Avenue and Meigs Drive areas in unincorporated Shalimar and with the following restrictions:

(1) A golf cart is defined as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

(2) A golf cart may be operated on county-maintained roads only between the hours of sunrise and sunset.

(3) A golf cart may only be operated upon a residential roadway with a posted speed limit of 25 mph or less that is clearly posted for use by golf carts.

(4) A golf cart may not be operated upon 12<sup>th</sup> Avenue, 12<sup>th</sup> Street, 4<sup>th</sup> Avenue, 8<sup>th</sup> Street north of 1<sup>st</sup> Avenue, 3<sup>rd</sup> Street, 2<sup>nd</sup> Street, or Old Ferry Road north of Meigs Drive and signs shall be posted to notify drivers of this restriction.

(5) The number of passengers shall be restricted to the number of seats on the golf cart. All passengers shall remain seated during operation of the golf cart. No person shall ride on the exterior of the golf cart.

(6) Golf carts must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflector warning devices both front and rear.

(7) Golf cart operators must have a valid driver's license and obey all

traffic regulations applicable to motor vehicles. Golf carts may not be operated on county roads by persons under the age of 16.

(8) No person shall drive any golf cart upon any area not designated for motor vehicle use or not specifically designated for golf cart use.

(9) Before golf carts may be operated under this section, the owners thereof must purchase and maintain liability insurance insuring against personal injury and damage to property of any nature relative to the operation of golf carts on the designated public roads and streets. Minimum required insurance will be the same as for motor vehicles registered in the State of Florida. Proof of such insurance must be possessed at all times while operating a golf cart on the designated roads.

**SECTION 3. CODIFICATION IN THE CODE OF ORDINANCES.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Okaloosa County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

**SECTION 4. SEVERABILITY.** Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall be effective as provided bylaw.

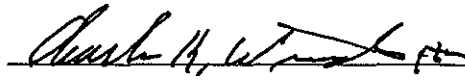
PASSED AND ADOPTED in Regular Session this 16th day of August, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF OKALOOSA COUNTY, FLORIDA

ATTEST:



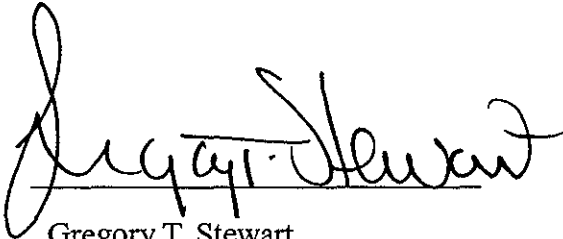
J.D. Peacock II, Clerk of Court



Charles K. Windes, Jr., Chairman  
Chairman



APPROVED AS TO FORM:



Gregory T. Stewart  
County Attorney



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

August 22, 2016

Honorable J. D. Peacock II  
Clerk of the Circuit Court  
Okaloosa County  
101 East James Lee Boulevard  
Crestview, Florida 32563-1359

Attention: Ms. Mary Carson

Dear Mr. Peacock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Okaloosa County Ordinance No. 16-14, which was filed in this office on August 22, 2016.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb