

ORDINANCE NO. O--20

AN ORDINANCE TO PERMIT THE OPERATION OF GOLF CARTS ON PUBLIC STREETS IN SPECIFIC NEIGHBORHOODS DURING DAYLIGHT HOURS; PROVIDING FOR A PENALTY; AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, section 551.404 of the Texas Transportation Code expressly permits a municipality to allow the operation of golf carts on public streets and highways; and

WHEREAS, the operation of golf carts, if in compliance with safety regulations of the state, and in particular neighborhoods, does not pose an inordinate hazard to traffic safety; and

WHEREAS, businesses and residents may find the operation of golf carts to be an environmentally-sensitive and cost-effective manner of transportation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALESTINE, TEXAS:

I.

That Section 94-64 of the Palestine Code of Ordinances is added to read as follows:

Sec. 94-64. Operation of Golf Carts.

- (a) For the purposes of this section,
 - (i) “daylight hours” means the time between sunrise and sunset;
 - (ii) “golf cart” means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.
- (b) A person may operate a golf cart, during daylight hours, on any public street of the City of Palestine within the areas set forth in subsection (e) if that street has a posted speed limit of not more than 35 miles per hour.
- (c) A golf cart operated on a public street must have headlamps, taillamps, reflectors, a parking brake, and mirrors.
- (d) A golf cart operated on a street that has a posted speed limit of not more than 35 miles per hour may cross a street that has a speed limit of more than 35 miles per hour.
- (e) Golf carts may be operated within the following areas:
 - (i) An area bounded by E. Park Avenue on the north, E. Loop 256 on the east, Union Pacific Railroad on the south, and Crockett Road on the west.

- (ii) Westwood area: An area bounded by Bassett Road and Court Drive on the north, S. Loop 256 on the east, U.S. Highway 79 on the south, and Evergreen Drive and the City Limits on the west.
- (iii) An area bounded by E. and W. Palestine Avenue on the north, N. Mallard Street on the east, Avenue A and E. and W. Oak Street on the south, and W. Spring Street on the west.
- (iv) Reagan Park District: An area bounded by Hoxie Street on the north, Crockett Road on the east, Jolly Street on the south, and Union Pacific Railroad on the west.
- (f) It is an offense to operate a golf cart on a public street or highway of the City of Palestine other than as expressly permitted by this section.

II.

That the offenses established in the Palestine Code of Ordinances, and the penalties for those offenses, shall apply to the failure to comply with the regulations established by this Ordinance.

III.

All other laws, ordinances, or resolutions that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

IV.

This ordinance shall expire on January 25, 2021.

V.

In the event any part of this ordinance is declared to be invalid or unconstitutional, such declaration shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared invalid or unconstitutional was not originally a part of the ordinance.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Palestine, Texas, at a regular meeting held on this the 12th day of October, 2020.

STEVE PRESLEY
MAYOR

ATTEST:

APPROVED AS TO FORM:

TERESA HERRERA
CITY SECRETARY

GARY LANDERS
CITY ATTORNEY