

AMENDMENT TO CITY ORDINANCE

At the regular meeting of the City Council of the City of Vidalia on December 19, 2013, upon motion by Councilman Tyson, with a second by Councilwoman Chesser, there was unanimous vote as follows:

“That Section _____ of the Code of Ordinances, City of Vidalia, Georgia, be and is hereby amended, by adding a section to be numbered _____ which said section shall read as follows:

Chapter _____ MOTORIZED CARTS

SECTIONS:

- # _____ Definitions.
- # _____ License and registration required.
- # _____ Registration application and fee.
- # _____ Emblem required.
- # _____ General regulations.
- # _____ Liability.
- # _____ Violation-Penalty.
- # _____ Effective date.

_____ **Definitions.**

“Motorized cart” means every motor vehicle having not less than three wheels and an unladen weight of one thousand three hundred (1,300) pounds or less and which cannot operate at more than twenty (20) miles per hour, and designed to carry no more than the recommended manufacturing seating capacity, and shall be consistent with the definition as set forth in O.C.G.A. § 40-1-1(32). This includes golf carts and similar types of self-propelled vehicles.

_____ **License and registration required.**

Motorized carts may be operated within the city only after the owner has completed the registration process pursuant to O.C.G.A. § 40-6-331(b), and only if a person who possesses a valid Georgia driver’s license is operating the motorized cart or is present and supervising the operator of the motorized cart. Registration fees are charged by the city to cover the costs of implementing and maintaining this Article. It shall be the duty of every owner of a motorized cart that is operated on public roads, recreational paths, rights-of-way or other public property in the jurisdiction of the city to register the motorized cart with the city within ten (10) days of the date of purchase/acquisition. There shall be a registration fee and a user fee as set out below.

_____ **Registration application and fee.**

- A. Registration with the city shall include a record of the model, make and vehicle

identification number or serial number on such motorized cart, the name and address of the owner, a contact phone number, and any other such information as the city shall require, all of which shall be maintained at city hall. A person desiring to register a motorized cart shall bring documentation setting forth a description of such cart to the Vidalia Police Department and complete an application of registration of such cart.

- B. Upon registration, the clerk shall issue a numerical decal to be applied to a conspicuous place on such cart so as to be plainly visible. This decal issued shall be nontransferable from the cart for which it is issued.
- C. Before any motorized cart may be operated within the city, the cart must have affixed thereto an emblem as required by O.C.G.A. § 40-8-4.
- D. There shall be a \$15.00 registration and licensing fee due annually on January 1st of each year.

_____ **Emblem required.**

- A. Before any motorized cart may be operated within the city, the cart must have affixed thereto an emblem as required by O.C.G.A. § 40-8-4. Failure to have a current registration decal affixed to a motorized cart shall be a violation of this Article and subject the owner of such motorized cart to the penalties set forth in Section _____.
- B. The decal issued by the City shall be non-transferrable from the motorized cart for which it was issued.

_____ **General regulations.**

- A. Motorized carts may only be operated on public roads, recreational paths, rights-of-way or other public property which are part of the city's street system which have a speed limit of twenty-five (25) miles per hour or less and the motorized cart must be equipped with functional headlights and taillights. Additionally, motorized carts must also be equipped with a flashing or rotating yellow or amber light mounted on the top. Motorized carts shall not be operated on public roads, recreational paths or rights-of-ways of the city between the hours of 10:00 p.m. to 6:00 a.m.
- B. All occupants of a motorized cart must wear seatbelts at all times, if available.
- C. Motorized carts shall not be operated on the sidewalks.
- D. Restrictions placed upon licensed motorists shall apply in the same manner as if operating a motor vehicle.
- E. The maximum occupancy of a motorized cart traveling on public roads, recreational paths, rights-of-way or other public property shall be one person per designated seat.
- F. All operators of motorized carts shall abide by all traffic regulations applicable to vehicular traffic when using the designated public roads, recreational paths, rights-of-way or other public property of the city.
- G. The City Council may, at its discretion, and by resolution, waive registration requirements for special events of a limited duration.
- H. A city employee on city business, in a city vehicle, and in the exercise of his/her duties, may operate gasoline, diesel fuel or battery-operated powered vehicles or motorized carts upon the city's streets, parks, parking lots, and other public properties within the city limits.

- I. Motorized carts cannot be operated within any commercial district of the city or on any street with a posted speed limit above twenty-five (25) miles per hour.
- J. No motorized vehicle may be operated on any city street without the approved city decal.
- K. All motorized carts noncompliant with the requirements herein shall not be allowed to be operated on any city street.
- L. Any owner registering a motorized cart with the City and any operator of same agrees to abide by all the requirements of State law and this Code.

_____ **Liability.**

The owner or operator of a motorized cart is liable for his or her own actions. Any person who operates or owns a motorized cart is responsible for procuring liability insurance in the amount of twenty-five thousand dollars (\$25,000.00) per person for bodily injury, fifty thousand dollars (\$50,000.00) per accident for bodily injury to one or more people, and twenty-five thousand dollars (\$25,000.00) per accident for property damage. Proof of insurance coverage must be provided at the time of registration and maintained on the motorized cart at all times.

_____ **Violation-Penalty.**

It shall be unlawful for a motorized cart to be operated on the streets of the city except as expressly authorized in this Section, and every person convicted of a violation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than twelve (12) months or both.

_____ **Effective Date.**

The ordinance codified in this chapter shall become effective immediately upon receiving supplies for registration of carts, but no later than thirty (30) days after passage.

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the code of Ordinances, City of Vidalia, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

Approved this 19th day of December, 2013.

Gonnie A. [Signature]
Mayor

Attest: [Signature]
City Clerk