

AN ORDINANCE DEALING WITH THE OPERATION AND REGULATION OF GOLF CARTS ON JEKYLL ISLAND

Whereas: This Ordinance dealing with the regulation of golf carts on public streets, roads, and highways and property owned or leased by the Authority is created under the authority of and not in conflict with the Official Code of Georgia Statutes as may be amended; and

Whereas: The Jekyll Island Authority recognizes the interest and need for our residents and guests to move around the Island to visit friends, go shopping in the neighborhood stores and/or for other recreational reasons to have the convenience and mobility to use a golf cart on the Island streets; and

Whereas: The Authority's concern in this matter is in the interest of public safety. It is further determined that the safe, proper operation of golf carts on public streets and roads is in the public interest and if properly regulated, will promote the public health, safety and welfare; and

Whereas: This ordinance does not deal with Low Speed Vehicles licensed by Georgia Department of Motor Vehicles as such to operate on public streets and operated by appropriately licensed drivers under O.C.C.A §40-6-360, *et seq* and compliant with safety standards in 49 CFR 571.500.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Jekyll Island State Park Authority, State of Georgia, as follows:

Sec. 24-4. Golf Carts

(a) Purpose and Definitions

- (1) Purpose. There is a public interest in having a means of travel that is cost effective, energy efficient and an alternate means of travel for short distances on the Island instead of using motor vehicles. This article establishes the minimum standards for the operator to use when traveling upon public streets, roads and highways and property owned or leased by the Authority.
- (2) Definitions. For the purposes of this Ordinance, a "golf cart" is defined as a "motorized cart" having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour. The definition is repeated here for convenience only and the definition set out in O.C.G.A. §40-1-1, as amended from time to time, is controlling for this purpose.

(b) Legality

The operation of golf carts on the public streets, roads and highways within the geographic boundaries of Jekyll Island and on property owned or leased by the Authority in compliance with the rules and regulations of this ordinance shall be permitted.

(c) Rules and Regulations

The following rules and regulations are adopted for the operation of golf carts. Low Speed Vehicles shall be operated under the Georgia regulations for licensed motor vehicles. Golf carts may only be operated on public streets or property owned or leased by the Authority within the geographic boundaries of Jekyll Island in accordance with the following rules and regulations:

- (1) A motor vehicle driver's license issued by a state agency shall be required to operate a golf cart on a public street, road or highway;
- (2) Golf carts may be driven on public streets, roads and highways on Jekyll Island and on property owned or leased by the Authority only if equipped with:
 - a. Headlamps
 - b. Front and rear turn signal lights
 - c. Tail lights
 - d. Brake lights
 - e. An interior rear view mirror
 - f. Parking brake
 - g. Windshield
 - h. A Type 1 or Type 2 seat belt assembly installed at each seating position;
- (3) Golf carts are permitted to be operated only on streets with a posted speed limit of 35 mph or less;
- (4) Golf cart operators must adhere to all traffic regulations and requirements applicable to the road or street being traveled and must yield the right-of-way to approaching vehicles;
- (5) Golf carts are not permitted to travel on sidewalks, bike paths or any motorized vehicle restricted areas;
- (6) All occupants shall be in a seated position on an installed seat and the use of seat belts shall be mandatory while the cart is in motion;

- (7) All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The Georgia State Patrol and the Jekyll Island Code Enforcement has the authority to issue a citation to the operator for violations of the terms of this ordinance;
- (8) Golf carts shall be parked in the same manner and place as designated parking for other motor vehicles. Stopping, standing or parking carts in places and in a manner not allowed for vehicle parking or so as to impede the flow of traffic, pedestrian walkways or passageways are prohibited. Parking in reserved handicapped locations requires the appropriate handicap placard or sticker;
- (9) Golf carts shall not be used for commercial purposes such as, but not limited to, taxicabs, buses, or hauling freight;
- (10) Golf carts shall not be used for the towing of another cart, wagon, skateboard, or a person on roller skates, bicycle and the like;
- (11) No open containers of alcoholic beverages are permitted on a golf cart while on a public street, road or highway or on property owned or leased by the Authority.

(d) Allowable Uses

Golf carts operated under the following uses are not required to meet the provisions of Paragraph c above:

- (1) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner.
- (2) The use of golf carts in connection with a parade, a festival or other special event, provided the consent of the sponsor is obtained and such vehicle is used only in conjunction with such event.

(e) Penalties

Operation of a golf cart in violation of the provisions of this ordinance will subject the offender to a civil penalty not exceeding \$100.00 for each offense, which shall be paid to the Clerk of the Magistrate Court of Glynn County within the time proscribed on the notice of the violation.

(f) Liability Disclaimer

This Section is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on public streets and the Jekyll Island Authority in no way advocates or endorse their operation on public streets or roads. The Jekyll Island Authority, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Section is not to be relied upon as a determination that operating on public streets is safe or advisable if done in accordance with this Section. All persons who operate or ride upon golf carts on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicycles, and pedestrians. The Jekyll Island Authority has no liability under any theory of liability and the Authority assumes no liability for permitting golf carts to be operated on public streets and roads under the laws passed by the Georgia Legislature.

APPROVE:

ATTEST:

A. Richard Royal
Chairman

Michael D. Hodges
Secretary

Date: October 27, 2014