

Ordinance No. 2017-01

**AN ORDINANCE PERMITTING AND REGULATING  
THE OPERATION OF GOLF CARTS  
ON CERTAIN PUBLIC STREETS WITHIN  
THE TOWN OF MAGNOLIA SPRINGS**

**WHEREAS**, there is public interest in having a means of local travel that is cost effective and energy efficient as an alternative to the use of motor vehicles; and

**WHEREAS**, Amendment 921 of the Constitution of Alabama of 1901 authorizes municipalities in Baldwin County to regulate the operation of golf carts on any municipal street or public road within the municipality where the posted speed limit is 25 m.p.h. or less; and

**WHEREAS**, the Town Council has determined that the safe, proper operation of golf carts on certain municipal streets and public roads within the Town of Magnolia Springs ("Town") is in the public interest and, if properly regulated, will promote the public health, safety and welfare of its citizens.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Town Council of the Town of Magnolia Springs, Alabama, while in regular session on the 25th day of April, 2017, as follows:

**Section 1. Definitions.** For the purposes of the Ordinance the following words or terms shall have the respective meanings ascribed to them:

- A. **Golf Cart** - Vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and which is equipped with the required safety equipment set forth below and required by Alabama law.
- B. **Golf Cart Permit** - Permit issued to an applicant authorizing the operation of a Golf Cart within the Town limits after such Golf Cart has met the requirements set forth herein and under Alabama law.
- C. **Operator** - Person no less than 16 years of age with a valid driver's license issued under or granted by the laws of the State of Alabama or another state who is operating a Golf Cart that has been issued a valid Golf Cart Permit.

**Section 2. Required Equipment.** No Golf Cart may be operated on any municipal street or public road within the Town unless equipped with all of the following safety equipment.

- A. Operational headlights (two required);
- B. Operational brake lights (two required);
- C. Operational turn signals; and
- D. Windshield

**Section 3. Operational Regulations.** Golf Carts operated within the municipal limits of the town shall abide by the following regulations:

- A. All Operators of Golf Carts shall be no less than sixteen (16) years of age and shall hold a valid driver's license.

- B. All Operators of Golf Carts shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and roads within the Town, including without limitation the following:
  - i. Golf Carts may not be operated between lanes of traffic or between adjacent lines or rows of vehicles.
  - ii. Golf Carts may not be operated two or more abreast in a single lane.
  - iii. The Operator of a Golf Cart may not overtake and pass in the same lane occupied by the motor vehicle being overtaken.
- C. Golf Carts are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive Golf Carts of the full use of a lane.
- D. Golf Carts may only be operated on a municipal street or public road having a posted speed limit of 25 m.p.h. or less.
- E. No part of the body of the Operator or occupants shall extend outside of the perimeter of the Golf Cart while the Golf Cart is being operated.
- F. Golf Carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping or parking of Golf Carts in areas where parking is not allowed or in any places that impedes the flow of traffic, pedestrian walkways or passageways is prohibited.
- G. Golf Carts shall not park within any space designated for disabled persons unless a current disabled parking placard is displayed on the Golf Cart and the person to whom the placard was issued is operating or being transported by the Golf Cart.
- H. Golf Carts may not be used for the purpose of towing another Golf Cart, trailer, vehicle or recreational object of any kind, including but not limited to, persons on roller skates, skateboards or bicycles.

**Section 4. Golf Cart Permit Required.**

- A. No Golf Cart may be operated on any municipal street or public road within the Town unless the Golf Cart has first been inspected and approved by the Town Designee and issued a Golf Cart Permit.
- B. Annual Golf Cart Permits shall expire September 30th of each year. Golf Cart Permits may be renewed each year after inspection and approval of the Golf Cart in accordance with the provisions herein.
- C. The Golf Cart Permit must be displayed in a visible location on the bottom corner of the windshield on the driver's side of the Golf Cart.
- D. A permit fee in the amount of \$25.00, or such other amount as may be established, adopted and published by the Town Council from time to time, shall be paid to the Town at the time of the application for the Golf Cart Permit, or any renewal thereof.
- E. The Golf Cart Permit shall only be placed upon the Golf Cart which it was issued.
- F. Only persons who own or lease a Golf Cart may submit an application for a Golf Cart Permit.
- G. Only persons 16 years of age or older with a valid driver's license may apply for and obtain a Golf Cart Permit.

**Section 5. Safety Inspection and Liability Insurance Required.**

- A. Prior to issuing a Golf Cart Permit or any renewal thereof, the Town designee must determine that:
- i. The Golf Cart is properly equipped with all safety equipment required pursuant to Section 2 herein and under Alabama law;
  - ii. The golf Cart is covered by a policy of liability insurance held by the owner or lessor. The liability limits for operation of the Golf Cart shall be the same as for operation of a motor vehicle in the State of Alabama; and
  - iii. The Permit fee has been paid.

**Section 6. Denial and Revocation of Golf Cart Permit.**

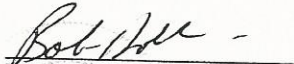
- A. The initial Golf Cart Permit and any renewal thereof may be revoked by the Town if it is determined that:
- i. The permit application contains any material misrepresentation;
  - ii. Liability insurance coverage for the operation of the golf cart, same as the operation of a motor vehicle as required by Alabama law, has not been met;
  - iii. the Golf Cart is not in compliance with the safety equipment requirements set forth in Section 2 herein or under Alabama law; or
  - iv. Other good cause shown including violations of this Ordinance or other State or Local laws.

**Section 7. Civil Penalties**

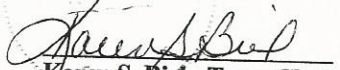
- A. The unauthorized operation of a golf cart on a municipal street or public road is a violation of this Ordinance for which the Town shall collect a civil penalty of \$50.00.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon its adoption and required publication.

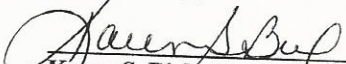
**Adopted and Approved on this the 25th day of April, 2017.**

  
**Bob Holk - Mayor**

**ATTEST:**

  
**Karen S. Biel - Town Clerk**

**TOWN OF MAGNOLIA SPRINGS, ALABAMA** Certificate of Publication. This is to certify that **Ordinance No. 2017-01,** Town of Magnolia Springs, Alabama, was published by posting on at least three (3) bulletin boards in the town: Magnolia Springs Post Office, United Bank and at the Mayor's office from **April 26, 2017** through **May 25, 2017.**

  
**Karen S. Biel - Town Clerk**