

ORDINANCE NO. 20 — ____

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISING CHAPTER 122, ARTICLE IV RELATING TO GOLF CARTS; REVISING SECTION 122-67 RELATING TO GOLF CART USE UPON CERTAIN ROADWAYS IN OZONA AND CRYSTAL BEACH TO ALLOW FOR THE INCLUSION OF ROADWAYS IN ADDITIONAL COMMUNITIES AND TO IMPOSE RESTRICTIONS CONSISTENT WITH STATE LAW; REVISING SECTION 122-68 RELATING TO GOLF CART USE UPON CERTAIN ROADWAYS IN HIGHLAND LAKES TO ALLOW FOR THE INCLUSION OF ROADWAYS IN ADDITIONAL COMMUNITIES AND TO IMPOSE RESTRICTIONS CONSISTENT WITH STATE LAW; CREATING SECTION 122-69 PROVIDING FOR DESIGNATION OF ROADWAYS FOR GOLF CART USE BY ORDINANCE OR RESOLUTION; CREATING SECTION 122-70 CLARIFYING THAT THIS ARTICLE DOES NOT APPLY TO LOW-SPEED VEHICLES; CREATING SECTION 122-71 CLARIFYING THAT THIS ARTICLE DOES NOT APPLY TO INCORPORATED AREAS; CREATING APPENDIX F AND APPENDIX G OF THE CODE IDENTIFYING ROADWAYS WHERE GOLF CART USE IS PERMITTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 316.212(1) of the Florida Statutes authorizes the County to designate public roads located within the County’s jurisdictional boundaries for golf cart use;

WHEREAS, prior to authorizing the operation of golf carts upon public roads, the County must determine that golf carts may safely travel on or cross the public roads, considering factors including speed, volume, and character of motor vehicle traffic using the roads;

WHEREAS, the Pinellas County Board of County Commissioners (the “Board”) previously adopted Resolution No. 05-245 and Ordinance No. 06-12 authorizing golf cart use upon certain roadways within the Ozona and Crystal Beach communities;

WHEREAS, the Board previously adopted Resolution No. 07-70 and Ordinance No. 07-34, later amended by Ordinance No. 16-23, authorizing golf cart use upon certain roadways within the Highland Lakes community;

WHEREAS, the Board has received requests from several additional communities to designate certain roadways for golf cart use;

WHEREAS, the Board anticipates receiving similar requests from other communities;

WHEREAS, given these outstanding and anticipated requests, the Board wishes to streamline the process by which roadways are designated for golf cart use; and

WHEREAS, to that end, the Board wishes to: (a) clarify that roadways may be designated for golf cart use by ordinance or resolution; (b) add appendices where the geographical limits of roadways designated for golf cart use may be codified; and (c) codify maps illustrating the previously established Ozona, Crystal Beach, and Highland Lakes areas.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, THAT:

Section 1. Section 122-67 of the Pinellas County Code is hereby amended to read as follows:

Sec. 122-67.—Permitted in Ozona and Crystal Beach communities; regulations. Golf Carts Permitted upon Certain County Roads at Any Hour.

~~Golf carts equipped in the manner prescribed by this section may travel on or cross the public roads or streets within the geographic boundaries described in this section, considering factors including the speed, volume, and character of motor vehicle traffic using these roads or streets, and the use of golf carts is hereby permitted in the Ozona and Crystal Beach communities with the stipulations to include the following provisions:~~

- ~~(1) — Required equipment for a golf cart shall include headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, a rearview mirror, a windshield and a standard hip restraint or hand hold.~~
- ~~(2) — The golf cart operators must possess a valid driver's license pursuant to F.S. § 322.03.~~
- ~~(3) — The areas encompassed by this authorization are the community areas of Ozona and Crystal Beach located west of U.S. Alternate 19, north of Orange Street and south of Ulelah Avenue. For the purpose of this section the southern boundary of Ozona is the intersection of Orange Street and U.S. Alternate 19, and the northern boundary of Crystal Beach is Ulelah Avenue and U.S. Alternate 19. Golf carts shall not be operated within the right-of-way of U.S. Alternate 19.~~
- ~~(4) — The golf carts authorized for use are incapable of exceeding 20 miles per hour.~~
- ~~(5) — Golf carts may be operated during the hours between sunset and sunrise as well as during daylight hours in the designated areas only.~~

Golf carts operated by any person possessing a valid driver's license pursuant to F.S. §322.03 and equipped in the manner prescribed by this section may travel on or cross the public roads as set forth in Appendix F of this code at any hour when operated in accordance with the following:

- (1) The golf cart must be incapable of exceeding 20 miles per hour.
- (2) The golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(3) The golf cart must be equipped with headlights, brake lights, turn signals, and a windshield if operated during the hours between sunset and sunrise.

(4) A violation of this section is punishable either pursuant to Section 316.212 of the Florida Statutes, as may be amended, or Section 1-8 of this code, as may be amended.

(5) The roads designated in Appendix F will be posted by appropriate signs to alert the public and law enforcement as to the boundaries where golf carts may operate.

(6) Operation of golf carts upon public sidewalks is expressly prohibited, except where authorized under the Americans with Disabilities Act or otherwise by law.

Section 2. Section 122-68 of the Pinellas County Code is hereby amended to read as follows:

Sec. 122-68.—Permitted in Highland Lakes; regulations. Golf Carts Permitted upon Certain County Roads from Sunrise to Sunset.

~~(a) —Regulations. Golf carts equipped in the manner prescribed by this section may travel on or cross the public roads or streets within the geographic boundaries described in this section, considering factors including the speed, volume, and character of motor vehicle traffic using these roads or streets, and the use of golf carts is hereby permitted in the Highland Lakes community with the stipulations to include the following provisions:~~

~~(1) —Required equipment for a golf cart shall include efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, red reflectorized warning devices in the front and rear, an orange warning flag, and a "SLOW MOVING VEHICLE" sign in the rear.~~

~~(2) —The golf cart operators must possess a valid driver's license.~~

~~(3) —The streets encompassed by this authorization are listed in Attachment 1 to Ordinance No. 16-23.~~

~~(4) —The golf carts authorized for use are incapable of exceeding 20 miles per hour.~~

~~(5) —Golf carts may only be operated during the hours between sunrise and sunset to drive to and from the golf course and the clubhouse complex located on MacGregor Drive on the designated streets listed in Attachment 1 to Ordinance No. 16-23.~~

~~(b) —Penalties.~~

~~(1) —A violation of subsection (a)(1), (a)(2), or (a)(4) is a noncriminal traffic violation pursuant to F.S. § 316.212(8) punishable as a nonmoving violation.~~

~~(2) —A violation of subsection (a)(3) or (a)(5) is a noncriminal traffic violation pursuant to F.S. § 316.212(8) punishable as a moving violation.~~

Golf carts operated by any person possessing a valid driver's license pursuant to F.S. §322.03 and equipped in the manner prescribed by this section may travel on or cross the public roads as set forth in Appendix G of this code during the hours between sunrise and sunset when operated in accordance with the following:

- (1) The golf cart must be incapable of exceeding 20 miles per hour.
- (2) The golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.
- (3) A violation of this section is punishable either pursuant to Section 316.212 of the Florida Statutes, as may be amended, or Section 1-8 of this code, as may be amended.
- (4) The roads designated in Appendix G will be posted by appropriate signs to alert the public and law enforcement as to the boundaries where golf carts may operate.
- (5) Operation of golf carts upon public sidewalks is expressly prohibited, except where authorized by the Americans with Disabilities Act or otherwise by law.

Section 3. Section 122-69 of the Pinellas County Code is hereby added as follows:

Sec. 122-69. Designation of Certain County Roads for Golf Cart Use.

The Board may designate public roads for golf cart use by ordinance or resolution. After designation by the Board, such roads shall be identified in Appendix F or Appendix G of this code, consistent with the terms of this article. The operation of a golf cart on a public road not designated by the Board for golf cart use is expressly prohibited, except where otherwise authorized by law.

Section 4. Section 122-70 of the Pinellas County Code is hereby added as follows:

Sec. 122-70. Low-Speed Vehicles.

This article only applies to “golf carts” as defined in F.S. §320.01, as may be amended. This article does not apply to “low-speed vehicles” as defined in F.S. §320.01, as may be amended.

Section 5. Section 122-71 of the Pinellas County Code is hereby added as follows:

Sec. 122-71. Areas Embraced.

This article is only effective in unincorporated areas of the county.

Section 6. Appendix F and Appendix G.

Appendix F: Golf Cart Use at Any Hour, and Appendix G: Golf Cart Use from Sunrise to Sunset, are hereby added to the Pinellas County Code. The attached map depicting the previously established “Ozona Area” and the attached map depicting the previously established “Crystal Beach Area” shall be codified under Appendix F. The attached map depicting the previously established “Highland Lakes Area” shall be codified under Appendix G.

Section 7. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional, to the extent practicable.

Section 8. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

Section 9. Filing of Ordinance: Effective Date.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.