

**AN ORDINANCE PERMITTING AND REGULATING THE OPERATION OF  
GOLF CARTS ON PUBLIC STREETS WITHIN THE CITY OF BELMONT**

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, N.C.G.S..160A-300.6 now authorizes a municipality, by ordinance, to regulate the operation of golf carts on any public street, road, or highway where the speed limit is 35 mph or less within its municipal limits or on property owned or controlled by the City; and

WHEREAS, the City Council has determined that the safe, proper operation of golf carts on streets, roads and highways within the City of Belmont is in the public interest and, if properly regulated, will promote the public health, safety and welfare:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of the City of Belmont, North Carolina as follows:

**TITLE VII: TRAFFIC CODE**

**CHAPTER 74: GOLF CARTS**

**§ 74.01 PURPOSE AND DEFINITIONS**

(a) Purpose. The purpose of this Chapter is to provide a means of travel that is not only convenient and safe but conserves resources and protects the environment. Golf carts, if properly used, can be an effective way to travel for short distances within the City. However, to ensure the public safety and welfare, the operation of golf carts must not only comply with normal regulations regarding vehicles but should comply with special safety regulations intended to protect the operator and passengers in a vehicle that is primarily designed for operation on a golf course or for recreational purposes. This Chapter establishes the basic, minimum standards of care to be used by the operators of golf carts on public roads, streets and highways. Likewise, the public safety requires that golf carts, when used as a means of transportation, must also meet certain minimum safety standards that can only be assured through a system of regulation and inspection.

(b) Definitions. For purposes of this Chapter, those definition set out in N.C.G.S. 20-4.01 shall also apply throughout this Chapter. A "golf cart" is defined as a vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour. This definition is republished here for convenience only, and the definition set out in N.C.G.S. 20-4.01 (12), as amended from time to time, is controlling for all purposes.

## **§ 74.02 OPERATION OF GOLF CARTS ALLOWED; EXCEPTIONS**

(a) Allowed. The operation of golf carts on the public streets, roads and highways within the City and on property controlled by the City shall be permitted in compliance with the provisions of this Chapter; however, it shall be unlawful to operate any golf cart that is not properly registered with the City or to operate any golf cart at any place or in any manner not authorized herein.

(b) Exceptions. The operation of golf carts is not subject to the provisions of this Chapter under the following circumstances:

- i. the operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner, or
- ii. the operation of golf carts on private streets within gated or limited access communities, or
- iii. the operation of golf carts in connection with a parade, festival, or other special event provided the consent of the event sponsor is obtained and provided such use only occurs during the event, or
- iv. the use of golf carts by the Belmont Police Department on official police business or by other City of Belmont personnel for official business on City controlled property, including cemeteries, parks, and greenways.

## **§ 74.03 LICENSE REQUIRED**

No person who is less than 16 years of age or who does not have a valid driver's license issued under or granted by the laws of North Carolina or some other state may operate a golf cart on any public street, road or highway within the City or on any property controlled by the City. For purposes of this section, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been revoked, temporarily or otherwise, or suspended for any reason be considered as a valid driver's license during the period of revocation or suspension.

## **§ 74.04 REGISTRATION OF GOLF CARTS**

(a) Required. No golf cart may be operated on any public street, road and highway within the City and on property controlled by the City unless the golf cart has first been registered with the Belmont Police Department. The registration shall be renewed on a biennial basis thereafter in accordance with the provisions of this section. To evidence the registration, the owner shall be issued a biennial permit that shall be displayed in a prominent, visible place on the rear fender of the golf cart or at such other place on the cart as may be approved by the Police Department. The permit may contain a registration number assigned for the particular golf cart and may contain an expiration date.

(b) Registration Fee. A registration fee in an amount as may be established and published in the Schedule of Fees and Charges adopted from time to time by the City

Council shall be paid to the City at the time the application for registration is filed with the Police Department and for any renewal of the registration.

(c) Application. The application for registration shall be filed with the Chief of Police; or to his/her designee, on forms provided by the City. The application may, among other things, require the following information: owner's name; street address, mailing address, and telephone number; make, model, and identification or serial number of the golf cart; proof of insurance and such other information as may be reasonably required, as well as a release or disclaimer of any liability by the City for accidents involving the registered golf cart.

(d) Procedures. The Chief of Police may establish written procedures, consistent with this Chapter, setting out the process and the procedure for registration, including the form of the application, the check list for items to be inspected, and the type of sticker or other device evidencing the issuance of the registration permit.

(e) Inspection. Prior to issuing the initial registration permit or any renewal thereof, the golf cart shall either be inspected or, in place of inspection, the Police Department may require photographs submitted of the golf cart, to determine that:

- i. the golf cart is equipped with a rear vision mirror and at least two (2) red rear reflectors at least three (3) inches in height and width; and
- ii. the golf cart is equipped with a reflective "slow moving" sign or flag on the rear of the cart; and
- iii. the brakes provided by the manufacturer of the golf cart are in proper working order; and
- iv. the golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour nor otherwise modified in any way that creates a hazard; and
- v. the golf cart is equipped with all mechanical systems and safety equipment required by this Chapter.

(f) Denial and Revocation. The initial registration of a golf cart may be denied or subsequently revoked by the Chief of Police if it is determined that:

- i. the application contains any material misrepresentation; or
- ii. financial responsibility requirements (liability insurance) of the State of North Carolina have not been met; or
- iii. the golf cart is not in compliance with the requirements set out above; or
- iv. the golf cart has been altered or customized and no longer meets the definition of a golf cart; or
- v. equipment supplied by the manufacturer, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number has been removed; or
- vi. other good cause shown, including repeated violation of this Chapter.

(g) Financial Responsibility. The owner of a golf cart required to be registered with the City for use on public streets, roads and highways shall maintain, in full force and effect and continuously throughout any period of registration, the financial responsibility in the minimum amounts and in the manner defined and described in Article 9A, Chapter 20 of the General Statutes of North Carolina, as amended, or any other law of the State of North Carolina requiring financial responsibility for the registration and/or operation of a motor vehicle.

(h) Disqualified Vehicles. ATV's, 4-wheel utility vehicles and other similar utility vehicles which are not manufactured for operation on a golf course, and golf carts that have been modified so that they no longer meet the definition of a golf cart may not be registered as a golf cart nor shall such vehicles be operated on the public roads, streets and highways within the City unless such vehicles are otherwise registered with and allowed under the motor vehicle laws of the State of North Carolina.

## § 74.05 MANNER OF OPERATIONS

Golf carts shall not be operated on the public streets, roads and highways of the City except in full compliance with the provisions of this section.

(a) Hours of Operation. Golf carts may be driven on approved public roads, streets and highways from sunrise until sunset. Golf carts may not be operated when fog, smog, smoke, or other conditions reduce visibility so that the golf cart is not visible for a minimum distance of 250 feet.

(b) Streets. Golf carts may not be operated on any of the following streets or sections of any following street except for the sole purpose of crossing such street either at a signalized intersection or at a perpendicular crossing at a through intersection:

- i. any street where the posted speed limit is more than 35 miles per hour; or
- ii. Wilkinson Boulevard (US 29/74); or
- iii. Park Street/Keener Boulevard/ R.L. Stowe Road (NC 273); or
- iv. Central Avenue; or
- v. South Point Road; or
- vi. South Main Street (south of Eagle Road); or
- vii. North Main Street/Belmont-Mt. Holly Road (north of US 29/74).

Golf carts shall not be operated in any manner or for any purpose on Interstate 85.

(c) Motor Vehicle Laws. All laws regarding the use of motor vehicles in the State of North Carolina and all ordinances regarding the use of motor vehicles in the City, not inconsistent therewith, shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour.

(d) Right of Way. The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles.

(e) City Property and Sidewalks. Golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, greenway, park, or trail except for official police business or by City personnel on City business.

Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or controlled by the City except with the express written consent of the City Manager and/or the Chief of Police and only upon the terms and conditions as may be set forth in such written permission.

(f) Golf Cart Capacity. The seating capacity, normally no more than four (4) passengers, shall not be exceeded nor shall the operator or any passenger be permitted to stand while the golf cart is in operation.

(g) Commercial Purposes. Golf carts may not be used as a taxicab or bus for the commercial carrying of passengers or the hauling of freight.

(h) Parking. Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing, or parking of golf carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways, or a passageway is prohibited.

(i) Towing. Golf carts may not be used for the purpose of towing another cart, trailer, vehicle of any kind, including a person on roller skates, skateboard, or bicycle.

(j) Cemeteries. Golf carts shall not be operated on any roadway or vehicle path within the cemeteries maintained by the City except for official use by City personnel.

(k) Alcohol Use. No person under the influence of an alcoholic beverage shall operate or be in control of any golf cart operated within the City of Belmont. No golf cart shall have an open alcoholic beverage container aboard while in operation.

#### **§ 74.06 DISCLAIMER AND LIABILITY**

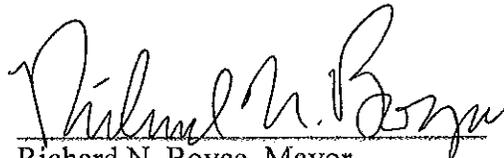
(a) Disclaimer. Golf carts are not designed for nor manufactured to be used on public streets, and the City neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads, and highways. The City in no way shall be liable for accidents, injuries, or death involving the operation of a golf cart.

(b) Assumption of Risk. Any person who owns, operates, or rides upon a golf cart on a public street, road or highway within the City does so at his/her own risk and peril and assumes all liability resulting from the operation of the golf cart.

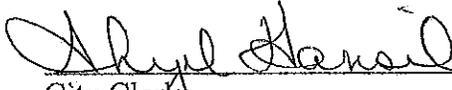
**§ 74.07 VIOLATION**

If any person shall violate this Chapter, he/she shall be guilty of a Class 3 Misdemeanor and shall be fined not more than \$100 or such other amount as shall be set forth in the Schedule of Fees and Charges adopted by the City Council from time to time, except that the owner or operator of a golf cart who shall violate a provision regulating the parking of vehicles shall be subject to a civil penalty in the amount set forth in the Code of Ordinances or the Schedule of Fees and Charges adopted by the City Council from time to time.

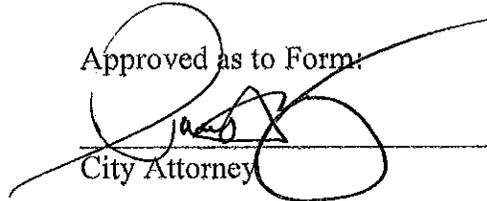
This Ordinance is hereby adopted this, the 2<sup>nd</sup> day of April, 2012 and shall become effective on the 1<sup>st</sup> day of July, 2012.

  
Richard N. Boyce, Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
City Attorney



**Belmont Police Department  
City of Belmont  
Application Golf Cart Permit**



**Disclaimer, Liability and Assumption of Risk**

As provided in City of Belmont North Carolina Ordinance, Title VII, "Traffic Code" golf carts are not designed for nor manufactured to be used on public streets and the City of Belmont neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads and highways. The City of Belmont in no way shall be liable for accidents, injuries or death involving the operation of a golf cart. Any person who owns, operates or rides upon a golf cart on a public street, road or highway within the City of Belmont does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

**WITNESS:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**OWNER:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Registration Permit #

\_\_\_\_\_  
Date



# Belmont Police Department

## City of Belmont

### Application for Golf Cart Permit



In accordance with City of Belmont Ordinance, Title VII "General Traffic Code", each qualified person desiring to operate a golf cart on the designated streets of the City of Belmont (see attached street list in ordinance) shall first submit an application in person to the Belmont Police Department to obtain, after inspection, its own individual permit/decal to be placed on the cart; the permit/decal shall be affixed to the front windshield area of the cart so as to be fully visible when the cart is in operation. A registration fee of \$25.00 for each cart, as well as \$5 for permit/decal, shall be payable at the time of registration/inspection and shall be effective for a period of two years. Golf carts shall have all equipment listed in the before mentioned City of Belmont Ordinance (see attached). All drivers must have a valid driver's license.

Name: \_\_\_\_\_  
(Last)
(First)
(Middle)

Home Address: \_\_\_\_\_  
(Number & Street)
(City)
(State)
(Zip)

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Driver's License # and State Issued: \_\_\_\_\_

Make/Model of Golf Cart: \_\_\_\_\_ Year: \_\_\_\_\_

VIN: \_\_\_\_\_ Color: \_\_\_\_\_ Gas or Electric: \_\_\_\_\_

Insurance Co. and Policy #: \_\_\_\_\_

Upon the inspection of the golf cart, approval of this application and issuance of a permit decal, it is understood that the permit decal must be suffixed to the front windshield and that said permit is good for two (2) years.

\_\_\_\_\_  
 Applicant's Signature (Full Name)

----- Office Use Only -----

Date Inspected: \_\_\_\_\_ Permit # \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Expires \_\_\_\_\_

Reason Denied \_\_\_\_\_

\_\_\_\_\_  
 Belmont Police Department Representative