

ORDINANCE 24-11

AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ALLOWING  
THE USE OF GOLF CARTS ON CERTAIN PUBLIC STREETS IN THE CITY OF  
ALBEMARLE

BE IT ORDAINED by the Council of the City of Albemarle, North Carolina, a new Chapter 78 of Title VII Entitled: Motor Vehicles and Traffic, be added to the City of Albemarle Code of Ordinances, as follows:

**CHAPTER 78: THE USE OF GOLF CARTS ON CERTAIN PUBLIC STREETS IN THE  
CITY OF ALBEMARLE, NORTH CAROLINA**

**§ 78.01 PURPOSE.**

The Ordinance established hereby shall be to establish a Golf Cart Ordinance within the City to promote health, safety and welfare of persons operating cart(s) within the City and to protect the safety of their passengers and other users of the roads.

**§ 78.02 FINDINGS AND AUTHORITY.**

The City finds and determines that:

1. Establishment of a Golf Cart Ordinance and transportation plan will serve to expand mobility to those persons not operating automobiles.
2. The selected areas for golf car travel will be roads and highways within the City limits of Albemarle and with speed limits of 35 miles per hour or less and will not cause an adverse impact upon traffic safety; and,
3. The regulations and use of golf carts on streets and highways in the City will fall under the provisions outlined throughout this ordinance and will require liability insurance sufficient to cover the risk involved in using a golf cart on the streets of the City of Albemarle.
4. The City has statutory authority to adopt this Ordinance pursuant to the provisions of NCGS 160A-300.6.

### **§ 78.03 DEFINITIONS.**

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

1. “GOLF CART.” A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 MILES PER HOUR. G.S. 20-4.01(12a). This does not include vehicles known as all-terrain vehicles (ATVs) or go-carts.
2. “DRIVER'S LICENSE.” A valid license issued to operate a motor vehicle issued by North Carolina or any other state.
3. “FINANCIAL RESPONSIBILITY.” Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. “OPERATOR.” Only persons over 18 years of age and holding a valid driver's license may operate a golf cart on the roads in the City.
5. “PLAN AREA.” The area within the City limits that golf carts will be allowed to travel which includes any public street or highway (not restricted elsewhere in this ordinance) within the City limits with a speed limit of 35 miles per hours or less and controlled by the City.

### **§ 78.04 GOLF CART DESIGN CRITERIA.**

For the purpose of this Chapter, the minimum golf cart vehicle design criteria and travel plan areas shall be established. In order for a golf cart to pass the City inspection it must meet the requirements or minimum standards of safety equipment as set forth in this Ordinance. Golf carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror and a rear triangle reflector of the same type required by North Carolina Law. The following elements are minimum design and equipment requirements:

1. The golf cart must be the shape and size that conforms to industry standards for manufactured golf carts.
2. The golf cart must be equipped and safely operated with:

- a) Either an unobstructed rear-view mirror and left side mirror, or a wide-angle cross bar rear view mirror; and,
- b) A slow-moving vehicle emblem on the rear of the cart; and,
- c) Any other requirements as set forth by the Albemarle Police Department for inspection in order to ensure safe operation under Section 78.08.

#### **§ 78.05 REGISTRATION PROCESS AND FEE PRIOR TO USAGE.**

1. Any person seeking to use a golf cart as permitted under this Article must complete a golf cart registration application and submit it to the Albemarle Police Department for approval prior to usage on a public road. Before driving on public roads, the operator of a golf cart must have a validly issued registration from the Albemarle Police Department. The cost for processing the application for the registration shall be \$20.00 which will be due at the time of registration and is to be renewed annually. Upon approval, a registration sticker issued by the Albemarle Police Department must be displayed on the driver's side front fender or windshield of the golf cart so that it is easily visible to law enforcement personnel.
2. Each owner must have proof of ownership and liability insurance. Copies of such documents shall be filed with the Albemarle Police Department at time of registration. All golf cart operators must present a valid driver's license while operating a golf cart on a public road. The registration sticker shall be valid for no more than one year and must be visible on a golf cart operated on a public road. Lost or Stolen Registration Stickers are the responsibility of the owner and must be replaced before the golf cart is open operated on a public road.

#### **§ 78.06 OPERATION RESTRICTIONS - RULES AND REGULATIONS**

The following restrictions limiting the operation of golf carts in the City and the following rules and regulations shall apply:

1. Only those golf carts that have the necessary safety equipment specified herein and have obtained the proper registration sticker from the City may be operated under the provisions of this Article.
2. Golf cart transportation is limited to those streets and highways within the City limits which have a posted speed limit of 35 miles per hour or less (unless otherwise noted below).
  - a) No Golf Carts shall be allowed on US Highway 52, NC 24/27 Bypass, or the Northeast Connector.

3. A golf cart operator must maintain his or her golf cart in a safe condition at all times.
4. Golf carts may cross a road with a posted speed limit greater than 35 miles per hour; however, once the segment of road has been traversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 miles per hour or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e., no riding along a road or crossing at an angle. Under no circumstance is a golf cart allowed to cross a control access facility other than at bridges which cross over or under a control access facility.
5. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
6. Any person who operates a golf cart must be at least eighteen (18) years of age or older. No person may operate a golf cart unless that person is licensed to drive on the public streets, roads and highways of North Carolina and; then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.
7. Any person who operates a golf cart on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.
8. An operator may not allow the number of people in the golf cart at any time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers; such as, the part of the golf cart designed to carry golf bags.
9. In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.
10. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

11. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
12. Golf carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror and a rear triangle reflector of the same type required by North Carolina law.
13. Golf carts must be equipped with headlights, rear facing brake lights and turn signals with said equipment in good and functional operating condition.

#### **§78.07 OPERATION ON CITY STREETS AND ROADS.**

1. Golf carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions.
2. Golf carts shall not be operated in a negligent manner. For the purpose of this section, to operate in a negligent manner is defined as the operation of a golf cart in such a manner as to endanger any person or property, or to obstruct, hinder or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
3. The City may prohibit operation of golf carts on any street or highway if the City Council determines that the prohibition is necessary in the interest of safety.
4. Golf carts must be parked in accordance with the laws and ordinances of Chapter 73 of the City's local municipal ordinance code.
5. Golf carts are strictly prohibited from traveling upon or parking on any sidewalk within the City.
6. Golf carts are required to follow the rules and regulations of any other vehicle during special events and are not permitted to enter special event areas unless the golf cart is listed on the special event permit and a part of the event.
7. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.

## **§ 78.08 SAFETY INSPECTION**

1. No golf cart may be operated on any street or highway in the City without first passing a safety inspection which will be conducted prior to the issuance of a City registration sticker. Furthermore, no registration sticker will be issued until the operator presents proof that the golf cart is fully insured, and the operator has a valid North Carolina driver's license or recognized valid driver's license from another state.
2. To pass the safety inspection for the City and to obtain a special use permit, the golf cart must have the following:
  - a) Slow moving vehicle emblem on the rear of the cart; and,
  - b) Rubber or equivalent tires; and,
  - c) Adequate steering gear, emergency or parking brake; and,
  - d) Rearview mirror; and,
  - e) Adequately fixed driver' s seat; and,
  - f) Factory installed safety or mechanical systems, including checking for gasoline or propane leaks; and,
  - g) Speed governor (if gasoline powered); and,
  - h) Headlights, rear facing brake lights and turn signals.

## **§ 78.09 INSURANCE REQUIREMENTS.**

Every golf cart and driver thereof shall have, in full force and effect, a valid insurance policy meeting the financial responsibility requirements set forth in GS 20 - 309 of the state motor vehicle laws and other applicable state law requirements.

## **§ 78.10 LIABILITY DISCLAIMER.**

This Ordinance is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on public streets. The City, in no way, advocates or endorses their operation on public streets and roadways. The City, 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 and roadways is safe or advisable if done in accordance with this section. All persons who operate or run upon golf carts on public streets or rides 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 motorist, bicycles and pedestrians. The City has no liability under any theory of liability and the City assumes no liability for permitting golf carts to be operated on public streets and roadways. Persons who operates a golf cart are responsible for procuring liability insurance sufficient to cover the risk involved in using a golf

**§ 78.11 ENFORCEMENT.**

Violation of the provisions of this Ordinance shall constitute an infraction in accordance with Chapter 20 of the North Carolina General Statutes, the maximum penalty for which shall be Twenty dollars (\$20.00) and such other penalties and fines as by law provided. In addition, the special use permit of the violator shall be revoked for a period of one year.

**§ 78.12 PENALTY FOR VIOLATIONS OF THIS ARTICLE.**

1. Any violation of the sections of this Article shall subject the violator to those civil penalties hereinafter set forth. Unpaid civil penalties may be recovered by the City in a civil action in the nature of a debt against the violator.
2. Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of this Section 78-12.
3. Notice to be affixed. Whenever a member of the Albemarle Police Department or other person authorized with the enforcement of the provisions of this chapter regulating parking of vehicles shall find any of those provisions are being or have been violated by the owner or operator of the vehicle the officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a parking violation notice or citation.
4. Responsibility for penalty. Upon receiving a notice or citation serving as notice of violation of the parking regulations set forth in this section, the owner or operator of the vehicle found in violation shall be responsible for penalties herein established.

**§ 78.13 ORDER RECORDED.**

1. That a copy of this Order shall be recorded in the Office of the Register of Deeds for Stanly County, North Carolina; and,
2. This Order shall amend any and all changes, amendments and the like in and to the description whether or not appearing in the public hearing notice or resolution heretofore advertised or adopted.

**§ 78.14 REPEAL AND AMENDMENT WITH RESPECT TO ANY CONFLICT.**

That all ordinances and parts of ordinances and notices and resolutions in conflict with this ordinance or the Order set forth herein are hereby repealed or amended.

**§78.15 ORDINANCE EFFECTIVE DATE.**


That this ordinance and the Order set forth herein shall be effective as of July 1, 2024.

This Ordinance was introduced and signed by Council Member, Whitley,  
a member of the Council of the City of Albemarle, North Carolina.

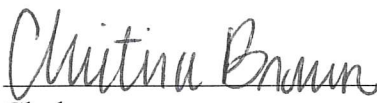
  
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Member of Council

At the meeting of the Council held on May 6, 2024, this Ordinance was introduced, adopted and ordered published, as by law provided, to be effective July 1, 2024.

Dated: May 6, 2024

  
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Mayor

Attest:

  
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Clerk

