

TOWN OF LOXAHATACHEE GROVES

ORDINANCE NO. 2013-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE OPERATION OF GOLF CARTS ON PUBLIC ROADS WITHIN THE TOWN; PROVIDING FOR LEGISLATIVE FINDINGS; AUTHORIZING THE OPERATION OF GOLF CARTS ON PUBLIC ROADS OVER WHICH THE TOWN HAS TRAFFIC CONTROL JURISDICTION PURSUANT TO SECTION 316.212, FLORIDA STATUTES; CONFIRMING THAT GOLF CARTS MAY NOT BE OPERATED ON OR ACROSS CERTAIN PORTIONS OF FOLSOM ROAD, OKEECHOBEE BOULEVARD, AND SOUTHERN BOULEVARD THAT LIE WITHIN THE TOWN; PROHIBITING THE OPERATION OF GOLF CARTS BY UNLICENSED DRIVERS; LIMITING THE NUMBER OF RIDERS ON GOLF CARTS; PROVIDING FOR IMPLEMENTATION OF THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 316.212, Florida Statutes, permits the operation of golf carts only on public roads designated by the Town for the use of golf carts; and,

WHEREAS, the Town Council has considered the operation of golf carts on public roads within the Town, and finds that such can be safely done given the speed, volume and character of motor vehicle traffic within the Town; and,

WHEREAS, as permitted by Section 316.212, Florida Statutes, the Town Council finds it in the best interests of the Town, its residents and users of public roads within the Town, that unlicensed persons be prohibited from operating golf carts upon the public roads within the Town; and,

WHEREAS, the Town Council determines that the adoption of this Ordinance is in the interests of the health, safety and welfare of the residents and citizens of the Town of Loxahatchee Groves.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

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Section 1: Recitals. The foregoing recitals are hereby ratified as true and correct and incorporated herein.

Section 2: Legislative Findings. In accordance with Section 316.212, Florida Statutes, the Town Council hereby finds that golf carts may be safely operated on public roads within the Town over which the Town has traffic control jurisdiction, based upon the following:

- a. The speed limit on all public roads within the Town over which the Town has traffic control jurisdiction is thirty (30) miles per hour;
- b. The public roads over which the Town has traffic control jurisdiction is already traveled upon by agricultural vehicles, bicycle traffic, and pedestrians, and such has historically been done in a safe manner; and,
- c. The state law regulations as to the required standards and equipment for golf cart operation render the golf carts more safe than most of the agricultural vehicles already using the Town's public roads.

Section 3: Authority to Operate Golf Carts on Town Roads. Pursuant to Section 316.212, Florida Statutes, and except as otherwise provided herein, the Town Council hereby authorizes the operation of golf carts on all public roads within the Town over which the Town has traffic control jurisdiction.

Section 4: Prohibiting the Operation of Golf Carts by Unlicensed Drivers.

Pursuant to the authority set forth in Section 316.212(8), Florida Statutes, the operation of golf carts by unlicensed drivers within the Town is prohibited.

Section 5: Confirming the prohibition of Golf Carts on certain roads. The operation of golf carts on or across any portions of Folsom Road and Southern Boulevard, or on

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Okeechobee Boulevard within the Town's jurisdiction is not authorized by this ordinance, and therefore shall remain prohibited as provided by Section 316.212, Florida Statutes. Golf carts are permitted to cross Okeechobee Boulevard only at intersections within the Town.

Section 6: Number of Riders. The number of riders on a golf cart shall be limited to the number of available seats on a golf cart.

Section 7: Implementation. Town Management is hereby directed and authorized to take all steps necessary to implement this ordinance, including without limitation the posting of required signage. Such signage shall contain language indicating that the operation of golf carts by unlicensed drivers within the Town is prohibited.

Section 8: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 9: Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 10: Effective Date. This ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 1st DAY OF DECEMBER, 2013.

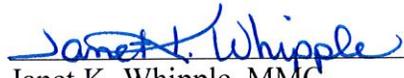
TOWN OF LOXAHATCHEE GROVES

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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN LOXAHATCHEE GROVES, ON SECOND READING AND PUBLIC HEARING, THIS 3rd DAY OF DECEMBER, 2013.

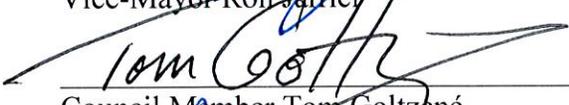
TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:


Janet K. Whipple, MMC
Town Clerk


Mayor David Browning

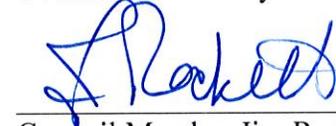

Vice-Mayor Ron Jarriel


Council Member Tom Goltzené

APPROVED AS TO LEGAL FORM:


Michael D. Cirullo, Jr.
Town Attorney


Council Member Ryan Liang


Council Member Jim Rockett

