

**CITY OF KRUGERVILLE, TEXAS  
ORDINANCE NUMBER 2017-005**

**AN ORDINANCE OF THE CITY OF KRUGERVILLE, TEXAS, AMENDING CHAPTER 12, TRAFFIC AND VEHICLES, OF THE KRUGERVILLE CODE OF ORDINANCES BY ADDING A NEW ARTICLE 12.800, OPERATION OF GOLF CARTS ON PUBLIC HIGHWAYS; REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC HIGHWAYS; REQUIRING REGISTRATION OF GOLF CARTS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, Section 551.404(a) of the Texas Transportation Code authorizes the City Council of the City of Krugerville, Texas (“City Council”) to allow the operation of golf carts within the City of Krugerville, Texas (“City”) under certain conditions; and

**WHEREAS**, the City Council has determined that it is in the best interest of the public health, safety, and general welfare to establish the following regulations for the operation of golf carts within the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS:**

**SECTION 1. Findings Incorporated.** The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2. Amendment to Chapter 12 (Traffic and Vehicles) of the Krugerville Code of Ordinances.** Chapter 12 (Traffic and Vehicles) of the Krugerville Code of Ordinances is amended to add a new Article 12.800 to read as follows:

**“ARTICLE 12.800. OPERATION OF GOLF CARTS ON PUBLIC HIGHWAYS”**

**Sec. 12.801 Definitions.**

The following words, terms, and phrases, when used in this Article, shall have the following meanings:

- (1) *Golf cart* means a motor vehicle designed by the manufacturer primarily for use on a golf course.
- (2) *Operator* means a person who drives or has physical control of a golf cart.

- (3) Public safety personnel means any employee or officer of a governmental law enforcement agency or fire department.
- (4) Public highway means a road, street, way, thoroughfare, or bridge:
  - (A) that is in this state;
  - (B) that is for the use of vehicles;
  - (C) that is not privately owned or controlled; and
  - (D) over which the state has legislative jurisdiction under its police power.

**Sec. 12.802 Golf Carts Permitted.**

An operator may operate a golf cart on all or part of a public highway that:

- (1) is in the corporate boundaries of the City; and
- (2) has a posted speed limit of not more than thirty-five (35) miles per hour.

**Sec. 12.803 Operational Requirements.**

- (a) A golf cart operated under this article must have the following equipment:
  - (1) headlamps;
  - (2) taillamps;
  - (3) reflectors;
  - (4) parking brake;
  - (5) mirrors; and
  - (6) a slow-moving vehicle emblem.
- (b) An operator of a golf cart must have a valid driver's license.
- (c) An operator of a golf cart must carry evidence of financial responsibility in accordance with Section 601.051 of the Texas Transportation Code, as amended;
- (d) Golf carts must be operated with headlamps on at all times.
- (e) An operator and all occupants of a golf cart must be seated in a seat intended to hold occupants while the golf cart is in motion. No occupant of a golf cart may stand or sit in the lap of another occupant while the golf cart is in motion.
- (f) Golf carts may cross intersections, including a public highway that has a posted speed limit of more than thirty-five (35) miles per hour.
- (g) Golf carts may not be operated in or on a public sidewalk, pedestrian walkway, playground, park, or other public recreational areas, not designated for motor vehicles.

**Sec. 12.804 Registration Requirements.**

All motorized golf carts operated on streets and parking areas of the City of Krugerville must be registered with Krugerville City Hall.

**Sec. 12805 Transfer**

Upon transfer of ownership of the motorized cart to a person who intends to operate it over authorized streets and parking areas, the new owner must register the cart as outlined in Sec. 12.804, Registration Requirements. The new registration must occur within 10 days.

**Sec. 12.806 Public Safety Personnel.**

Notwithstanding Section 12.803 of this Article, public safety personnel may operate a golf cart on any public highway within the City when the golf cart is being used in the performance of official duties.

**Sec. 12.807 Penalty Provision.**

Violations of this Article, as it exists or may be amended, shall be a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation of this Article shall constitute a separate offense. The penalties imposed under this Article shall not preclude the City from filing suit to enjoin a violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

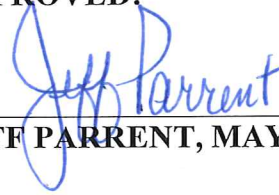
**SECTION 3. Savings/Repealing Clause.** All ordinances of the City in conflict with the provisions of this Ordinance are hereby repealed to the extent they are in conflict.

**SECTION 4. Severability.** Should any section, subsection, clause, or phrase of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full for force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, clauses, and phrases be declared unconstitutional and invalid.

**SECTION 5. Effective Date.** This Ordinance shall be effective from and after its passage and publication of its caption as required by law, and the City Secretary is hereby directed to implement such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS on this 21<sup>st</sup> day of SEPTEMBER, 2017.

APPROVED:



JEFF PARRENT, MAYOR

ATTEST:

*Sandy Frantz*  
SANDY FRANTZ, CITY SECRETARY

