ORDINANCE 19-14

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, AMENDING ARTICLE VI. - GOLF CARTS OF CHAPTER 74 – TRAFFIC AND VEHICLES OF THE CODE OF ORDINANCES TO PROVIDE FOR APPROVED CROSSINGS OF CR1 AND OF STATE ROADS; RESTRICTING ELIGIBILITY FOR REGISTRATION OF GOLF CARTS TO DUNEDIN RESIDENTS; REQUIRING RED REFLECTORIZED WARNING DEVICES; REQUIRING LAP SEAT BELTS FOR CHILDREN 16 YEARS OF AGE AND UNDER; AMENDING DESIGNATED STREETS AND AREAS OF LEGAL OPERATION; AMENDING PROVISIONS OF ENFORCEMENT TO PROVIDE FOR BOOTING OR TOWING OF UNREGISTERED OR ILLEGALLY PARKED GOLF CARTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, City staff reviewed Article VI. – Golf Carts of Chapter 74 and has recommended the amendment of certain provisions for golf carts in its General Provisions; and

WHEREAS, the recommendations of staff have been found meritorious by the City Commission; and

WHEREAS, the City Commission has received input from the public at two public hearings.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Article VI. – Golf Carts of Chapter 74 of the General Provisions of the Code of Ordinances shall be amended to read as follows:

ARTICLE VI. - GOLF CARTS

Sec. 74-200. - Use of golf carts upon designated city streets.

It shall be lawful for a person holding and in possession of a valid driver license to operate a golf cart, as defined by F.S. § 320.01(22), upon certain designated streets within the boundaries of the city. No such golf cart shall be operated on any other portion of the right-of-way of city, county or state roads except the paved portion of the right-of-way of said

street, and there shall be no operation of golf carts on sidewalks, parks or other portions of city lands, the Pinellas Trail and spurs or extensions thereof, right-of-ways or city streets except as specifically designated herein, and public golf courses and private lands allowing such use. All use of golf carts on designated city streets shall be in strict accordance with F.S. § 316.212 or any amendments thereto or any other provisions of Florida Statutes regulating the use of golf carts on public streets. All persons operating a golf cart on city streets must comply with all other applicable traffic laws regarding the operation of such a vehicle. Nothing herein shall relieve the operator of a golf cart from compliance with all laws and ordinances otherwise pertaining to the operation of a vehicle.

Sec. 74-201. - Crossing state and county roads.

Nothing herein shall be deemed to authorize the operation of a golf cart on a state or county road or right-of-way or to allow the crossing of a state or county road other than at such crossings and in such locations as shall be permitted and specified by the state, or an administrative agency thereof, or by the county.

The following crossings of CR1 are approved by Pinellas County Traffic Operations Division.

1. San Christopher Drive.
2. Falcon Drive / Amberlea Drive North.
3. Michigan Boulevard.

The following crossings of state roads are approved by the Florida Department of Transportation.

1. Bass Boulevard / Main Street crossing S.R. 580.
2. Monroe Street crossing US Alt. 19.
3. Palm Boulevard crossing US Alt. 19.
4. San Jose Drive crossing US Alt. 19.

Sec. 74-202. - Licensed use; revocable.

The operation of a golf cart on designated city streets shall be deemed to be a licensed use of those streets and to be revocable upon the will of the city commission in its legislative capacity based on its consideration of the health, safety and welfare of the public arising from such use.

The issuance of a license or other permission for the operation of golf carts on city streets shall not limit or otherwise preclude the city commission from the amendment of this article, revocation of this article, contracting or expanding the streets or roads on which golf cars can be

operated, or the designation of crossing points for state and county roads. All persons operating golf carts on city streets under this license from the city shall do so on the condition that there shall be no claim for any monetary loss or other claim for the loss of allowed golf cart operation on such streets or any monetary claim therefore based on a claim for action in reliance on the provisions of this article. The city commission retains the unlimited legal authority to revoke, amend or to otherwise legislate as to the operation of golf carts on city streets without liability of any kind arising from its legislative decisions.

Sec. 74-203. - Waiver of claim.

Any person operating a golf cart enjoying a license for such purpose and all persons who are passengers in such golf cart shall be deemed to have waived any claim against the city for its legislative decision to allow the operation of such golf carts on designated city streets in compliance with this article, and this article is declared by the city commission to be a legislative act of the city pursuant to the authority granted by state statute.

Sec. 74-204. - Parking.

Golf carts operated on designated city streets, when parked in public parking spaces, such golf carts shall be parked in a manner within such space side by side or in another fashion that allows either golf cart to leave the space when desired. It shall be the obligation of each golf cart operator to park the golf cart in a manner that will allow the use of the public parking space by another golf cart. This section shall be applicable to such areas as are specifically designated for vehicle parking use either on city streets or off the right-of-way of city streets, in parking lots owned and controlled by the city, or in such other areas as are designated by signage or ground marking for such usage, and on public lands specifically allowing such use. Identified handicapped parking spaces may be used by golf carts complying with the law for use of these spaces by vehicles.

Sec. 74-205. - Driver license.

All persons operating a golf cart on designated city streets or in designated areas on public lands shall, upon request of a law enforcement officer, be in possession of a valid driver license; it shall be unlawful for a golf cart to be operated on designated city streets or in designated areas on public lands by any person who is not the owner of and in possession of a valid driver license. No person may operate a golf cart on city streets or in designated areas on public lands who has a suspended driver's license or whose driver's license has been revoked.

Sec. 74-206. - Registration of golf carts.

All golf carts operating on city streets, prior to such operation, shall be registered with the city on an annual basis by such persons and in such a

manner as is administratively determined by the city manager. In order to discourage illegal crossings of high volume, high speed roadways, only Dunedin residents living in one of the areas of legal operation (see Sec. 74-209) will be eligible for golf cart registration. The registration process shall include the payment of an annual registration fee in the amount of $10.00. An inspection to verify road worthiness, and the presence of required equipment may be instituted by the city as a condition of registration and operation of a golf cart on city designated streets. Decals reflecting a valid registration must be visibly affixed to each registered golf cart on the rear driver's side of said golf cart in a location that is easily visible to law enforcement personnel. Such registration and decal must be current at all times the golf cart is operated on city streets. No registration is required for golf carts which are not operated on city streets.

Sec. 74-207. - Required equipment.

All golf carts operated on designated city streets or in designated areas on public lands must be equipped with efficient brakes, reliable steering, a horn meeting the standards of F.S. § 316.271, safe tires, a rearview mirror, amber reflectorized warning devices in the front and reflectorized red warning devices in the rear of such golf cart, at all times while the golf cart is operated on designated city streets. All golf carts operated between sunset and sunrise on designated city streets or in designated areas on public lands shall also be properly equipped with headlights, brake lights, turn signals and a windshield. All children 16 years of age and under are required to wear lap seat belts, while riding in a golf cart.

The provisions of this article may be enforced by law enforcement officers and as to such matters not requiring action only by a law enforcement officer, by both city code enforcement officers and law enforcement officers.

Sec. 74-208. - Designated streets.

The city streets within the borders delineated in Section 74-209 below and labeled "Northside Golf Cart Zone," "Southside Golf Cart Zone" and "Eastside Golf Cart Zone" are the designated city streets on which golf carts may be operated, and only in those designated areas. The crossings of state and county roads as depicted thereon shall be lawful for the operation of golf carts only when and if those crossings are approved by the appropriate state and county agencies having jurisdiction over that decision. It is unlawful for a golf cart to cross a state or county road at any other location.

Sec. 74-209. - Areas of legal operation.

The portions of the city in which golf carts may be lawfully operated consist of a Northside Golf Cart Zone, a Southside Golf Cart Zone, and an Eastside Golf Cart Zone.

1. The Northside Golf Cart Zone is the land bounded by, but not including, the following boundary roadways:

   a. Curlew Road on the north;

   b. C.R. 1 on the east;

   c. State Road 580 on the south;

   d. Alternate U.S. 19 on the west; however, the following land areas west of Alternate US 19 are included in the Northside Golf Cart Zone based on three crossing points.

      i. Harbor View Villas and Dunedin Shores subdivisions on the west side of Alternate U.S. 19 are included with an existing Alternate U.S. 19 golf cart crossing at Palm Boulevard.

      ii. Dunedin Isles Unit No 1 subdivision on the west side of Alternate U.S. 19 is included with an existing Alternate U.S. 19 golf cart crossing at San Jose Drive.

2. The Southside Golf Cart Zone is the land area bounded by, but not including, the following boundary roadways:

   a. State Road 580 on the north.

   b. Keene Road (C.R. 1) on the east.

   c. Union Street on the south.

   d. Alternate U.S. 19 on the west. however, the area from the city marina to Weaver Park on the west side of Alternate U.S. 19 is included with an Alternate U.S. 19 crossing at Monroe Street.

   The Southside Golf Cart Zone excludes all streets within the boundary with traffic volumes of 5,000 vehicles per day or more or with posted speed limits over 35 miles per hour. There shall, however, be limited access on the following roadways:

   a. Virginia Street from Milwaukee Avenue to Patricia Avenue.

   b. Virginia Street from Pinewood Drive to Lake Haven Drive

   c. Patricia Avenue from Knollwood Drive to James Street.

   d. Patricia Avenue from Beltrees Street to Lexington Avenue.

The shared access is allowed for golf carts and automobiles to operate together sharing the road. The shared access portions of Virginia Street and Patricia Avenue will have a posted speed limit of 25 miles per hour.

3. The Eastside Golf Cart Zone excludes all streets within the boundary with traffic volumes of 5,000 vehicles per day or more or with posted speed limits over 35 miles per hour. There shall, however, be limited access on the following roadways:

   a. Solon Avenue from Windmoor Drive to Cottonwood Terrace.

   The shared access is allowed for golf carts and automobiles to operate together sharing the road.

4. The Eastside Golf Cart Zone consists of certain subdivisions and roads that are adjacent to legal crossing points east of Keene Road (C.R. 1) listed below.

   a. San Christopher Drive Crossing Point

      1) Brentwood Park Subdivision

      2) Lazy Lake Village Subdivision

   b. Falcon Drive – Amberlea Drive North Crossing Point

      3) Amberlea Subdivision

      4) Amberlea Unit 2 Subdivision

      5) Amberlea Unit 3 Subdivision

      6) Amberlea Unit 4 Subdivision

      7) Pipers Glen Subdivision

      8) Pipers Glen 1A Condominium Subdivision

      9) Scots Landing Subdivision

      10) Ravenwood Manor Subdivision

      11) Ranchwood Estates Subdivision

   c. Michigan Boulevard Crossing (see Exhibit A)

      12) Braemoor Lake Villas Subdivision

      13) Braemoor Lake Villas Partial Replat Subdivision

      14) Braemoor Grove Subdivision

      15) Spanish Manor Subdivision

      16) Garrison Road

      17) Sharpe Lane

Sec. 74-210. - Number of occupants, speed and required insurance.

1. The number of occupants in any golf cart being operated on the designated streets or in designated areas on public lands of the city shall be restricted to the number of seats on the golf cart, not exceeding the number of persons for which the golf cart was designed and which is consistent with the number of seats provided by the golf cart manufacturer.

2. It shall be unlawful for any occupant of a golf cart to stand at any time while the golf cart is in motion.

3. All golf carts permitted to travel on designated city streets within the city or in designated areas on public lands shall have a maximum attainable speed of 20 miles per hour.

4. It is unlawful for a person to drive a golf cart at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. It is the duty of the operator of a golf cart to leave the paved surface of a designated street to allow other motor vehicles to proceed at the lawful speed on such street as an exception to section 74-200 and subparagraph (6) below.

5. It is unlawful for a golf cart to be operated on city sidewalks, rights-of-way and other locations on which a motor vehicle cannot be operated, and as proscribed by state statute or city ordinance, except for compliance with subparagraph (4) above.

6. It shall be unlawful for any golf cart to be operated on the designated streets of the city or in designated areas on public lands unless and until the owner(s) thereof has purchased liability insurance insuring against personal injury and damage to property relative to the operation of golf carts on said designated city streets or in designated areas on public lands. The said insurance must be in full force and effect at all times the golf cart is operated on designated city streets or in designated areas on public lands. Proof of insurance must be presented to the city upon registration and licensing of the golf cart to operate on designated city streets, and to a law enforcement officer or code enforcement officer upon request.

Sec. 74-211. - Enforcement.

Violations of this article shall be enforced pursuant to the provisions of F.S. § 316.212(8) and city ordinances by a law enforcement officer or city code enforcement officer as such officer's legal authority and jurisdiction allows. Code enforcement officers shall have the right to enforce all matters having to do with golf cart required equipment, the streets upon which golf

carts may be operated, the lawful parking of golf carts and all other matters not exclusively within the jurisdiction of and lawful authority of law enforcement officers. Unregistered or illegally parked golf carts may be subject to booting or towing by city enforcement personnel or the Pinellas County Sheriff's Office.

In addition, other avenues for the enforcement of violations of this article may be enforced by city code enforcement officers and the city code enforcement board as their jurisdiction and legal authority allows.

Section 2. That all ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. The provisions of this Ordinance shall be severable. If any provision of this Ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this Ordinance

Section 4. That this Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 25th day of July, 2019.

Julie Ward Bujalski
Mayor

ATTEST:

Denise M. Kirkpatrick
City Clerk

READ FIRST TIME AND PASSED: July 11, 2019

READ SECOND TIME AND ADOPTED: July 25, 2019