

AN ORDINANCE OF THE COUNTY OF MIDDLESEX, VIRGINIA
AUTHORIZING THE USE OF GOLF CARTS ON PUBLIC HIGHWAYS
LOCATED WITHIN THE JURISDICTIONAL LIMITS OF THE TOWN
OF URBANNA, IN MIDDLESEX COUNTY, VIRGINIA

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF
MIDDLESEX COUNTY, VIRGINIA, THAT THE FOLLOWING
ORDINANCE IS HEREBY ADOPTED:

PREAMBLE

This ordinance is adopted by the Board of Supervisors of Middlesex County, Virginia, after considering a Resolution from the Town Council of the Town of Urbanna, and considering the speed, volume, and character of motor vehicle traffic using the public roads located within the jurisdictional limits of the Town of Urbanna and determining that golf cart operation on the above listed portions of road is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in §33.1-23.03:001.

Section 1. Authority to Regulate

Pursuant to Section 46.2-913.3(C) of the Code of Virginia, 1950, as amended, the County of Middlesex, Virginia is authorized, by ordinance, to impose limitations and restrictions on the operation of golf carts upon public highways within the town.

Section 1. Definition

Golf Cart means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

Section 2. Regulation

Golf carts are hereby permitted to be operated within the jurisdictional limits of the Town of Urbanna, in Middlesex County, Virginia, subject to the following restrictions:

A. Required Safety Equipment:

In addition to any safety equipment required by the Code of Virginia for golf carts, such shall have the following safety equipment installed:

- (1) Speed governor if gasoline powered.
- (2) Safety lap belts.

B. Safety Inspection:

Golf carts shall pass a safety inspection at least once yearly. Such safety inspection shall be conducted by an official inspection station as such are designated in accordance with section 46.2-1163 of the Code of Virginia (1950) as amended or by a business which is engaged in the sale of golf carts. Such safety inspection shall only cover the following items:

- (1) Headlights, tail lights and turn signals, if the golf cart is driven between sunset and sunrise.
- (2) Rubber or equivalent tires.
- (3) Windshield wipers if equipped with permanent windshield.
- (4) Horn, adequate steering gear, brakes, emergency or parking brake, one mirror, adequately fixed driver's seat.
- (5) All other factory installed safety or mechanical systems, including checking for gasoline or propane leaks.
- (6) Speed governor if gasoline powered.
- (7) Safety lap belts.

The owner of the golf cart shall be responsible for obtaining a certification from the inspection station that the golf cart passed the inspection.

C. Insurance Required:

Every golf cart and driver thereof shall be covered by an insurance policy. Such policy shall meet the minimum liability amounts contained in section 46.2-472 of the Code of Virginia (1950) as amended, but not less than \$100,000.00 and provide coverage during the operation of the golf cart upon public highways.

D. Operation on Public Highways:

It is unlawful to operate a golf cart on a public highway within the Town of Urbanna unless the following requirements are met:

- (1) Golf carts must display a slow-moving vehicle emblem in conformity with section 46.2-1081 of the Code of Virginia (1950) as amended.
- (2) Golf carts shall be operated only between sunrise and sunset unless equipped with such lights as are required in Article 3 of Chapter 10 of Title 46.2 of the Code of Virginia (1950) as amended.
- (3) No person may operate a golf cart unless that person is licensed to drive upon highways of the Commonwealth of Virginia and then, only in accordance with such driver's license.
- (4) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
- (5) Only the number of people the golf cart is designed to seat may ride on a golf cart. Additionally, passengers shall not be carried on the part of a golf cart designed to carry golf bags.
- (6) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.
- (7) Golf carts shall not be operated during inclement weather; nor when visibility is impaired by weather, smoke, fog or other conditions.
- (8) The Sheriff of Middlesex County, Virginia or his designee, may prohibit the operation of golf carts on any highway if the Sheriff determines that the prohibition is necessary in the interest of safety.

Notwithstanding anything contained herein to the contrary, the Town of Urbanna reserves the right to restrict the operation of golf carts on the public highways within its jurisdictional limits during Festival Events more fully described under §7.1-17 et seq. of the Urbanna Town Code or during other events when the public roads are closed to vehicular traffic. All restricted uses shall be included in the Master Plan submitted by the sponsoring organization and approved by the Town Council for the Town of Urbanna or by separate Resolution of the Town Council for other events when the public roads are closed to vehicular traffic.

E. Local Vehicle License:

No golf cart shall be used on the public highways unless it has obtained from the Town of Urbanna a vehicle license. No vehicle license shall be issued until the owner of the golf cart presents evidence that the golf cart is insured in accordance with the requirements provided herein and that the golf cart has passed a safety inspection.

F. Liability Disclaimer:

This article is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets, and neither the County of Middlesex nor the Town of Urbanna advocates or endorses their operation on public streets or roads. The County of Middlesex and the Town of Urbanna, by regulating such operation, is merely trying to address obvious safety issues, and adoption of this article is not to be relied upon as a determination that operation on public streets is safe or advisable if done in accordance with this article. All persons who operate or ride upon golf carts on public streets or roads 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 motorists, bicyclists, and pedestrians. The County of Middlesex and the Town of Urbanna have no liability under any theory of liability and the County and Town assume no liability, for permitting golf carts to be operated on the public streets and roads under the special legislation granted by the Virginia General Assembly. Any person who operates a golf cart is responsible for procuring liability insurance sufficient to cover the risk involved in using a golf cart on the public streets and roads.

G. Signage:

It is the desire and intent of the Town Council for the Town of Urbanna that all costs associated for the installation and maintenance of any signs pertaining to the operation of golf carts be assessed and paid by the individuals, organizations or entities requesting the designation.

Section 3. Expiration

This authority to operate golf carts on the public roads within the Town of Urbanna shall automatically expire two (2) years from the date of enactment unless the Town Council of the Town of Urbanna passes another resolution prior to the expiration of this two (2) year period requesting that the Board of Supervisors of Middlesex County, Virginia reauthorize this authority to operate on the public streets and the Board of

Supervisors reauthorizes under Section 46.2-916.2 of the Code of Virginia the right to operate golf carts on the public streets within the Town of Urbanna.

Adopted by the Board of Supervisors of Middlesex County, Virginia, on the 17th day of May, 2011 as follows:

| | YES | NO |
|----------------------|-----|-------|
| JOHN D. MILLER, JR. | aye | _____ |
| WAYNE H. JESSIE, SR. | aye | _____ |
| FRED S. CRITTENDEN | aye | _____ |
| CARLTON S. REVERE | aye | _____ |
| PETER W. MANSFIED | aye | _____ |

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

Charles M. Culley, Jr.
Clerk