

ORDINANCE NO. 2020-

AN ORDINANCE AMENDING CHAPTER 110, ENTITLED "TRAFFIC AND VEHICLES" TO UPDATE VARIOUS PROVISIONS RELATED TO ARTICLE IX, ENTITLED "MOTORIZED CARTS"; PROVIDING FOR CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That "Article XI, entitled "Motorized Carts" of Chapter 110, entitled "Traffic Vehicles" shall be repealed and replaced with the language in Exhibit A.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. This Ordinance shall become effective on passage.

PASSED first reading the ____ day of _____, 2020.

PASSED second reading the ____ day of _____, 2020.

PASSED AND ADOPTED the ____ day of _____, 2020.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney

Exhibit A

Chapter 110 - Article XI. Motorized Carts

Sec. 110-320. – Operation of Motorized Carts.

(a) An operator may operate a motorized cart on a roadway in the City of League City only as provided by this Article.

(b) As provided by Texas Transportation Code Sections 551.403, an operator may operate a golf cart:

(1) In a master planned community:

- a. That has in place a uniform set of restrictive covenants; and
- b. For which the county or the City of League City has approved a plat;

(2) On a public or private beach that is open to vehicular traffic;

(3) To cross a highway at an intersection, including an intersection with a highway that has a posted speed limit of more than 35 miles per hour; or

(4) On a highway for which the posted speed limit is not more than 35 miles per hour, if the motorized cart is operated:

- a. During the daytime; and
- b. Not more than two miles from the location where the golf cart is usually parked and for transportation to and from a golf course.

(c) As provided by Texas Transportation Code Sections 551A.055, an operator may operate a utility vehicle:

(1) In a master planned community:

- a. That has in place a uniform set of restrictive covenants; and
- b. For which the county or the City of League City has approved a plat;

(2) On a public or private beach that is open to vehicular traffic;

(3) To cross a highway at an intersection, including an intersection with a highway that has a posted speed limit of more than 35 miles per hour; or

(4) On a highway for which the posted speed limit is not more than 35 miles per hour, if the utility vehicle is operated:

- a. During the daytime; and
- b. Not more than two miles from the location where the utility vehicle is usually parked and for transportation to and from a golf course.

(d) Pursuant to Texas Transportation Code Section 551A.504 and in the interest of safety, all off-highway vehicles, as that term is defined in Texas Transportation Code Section 551A.001, are prohibited from operation on a highway except as provided in Subsection (c).

(e) In addition, the operation of motorized carts is authorized in the following circumstances:

(1) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner, or the operation of golf carts within gated or limited access

communities unless the streets of the community are dedicated for public use and maintained by the city, or the use of a motorized cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.

- (2) A peace officer or other person who provides law enforcement, firefighting, ambulance, medical, or other emergency services, including a volunteer firefighter, may operate a motorized cart on a highway that is not an interstate or limited-access highway if the operation is in connection with the performance of the operator's official duty;
- (3) The use of motorized carts by City of League City personnel for official business on city owned property and city leased property.

Sec. 110-321. - Motorized cart required equipment.

- (a) A golf cart operated on a highway pursuant to this Article shall be equipped with the safety equipment required by Texas Transportation Code Section 551.4041 and shall display a golf cart license plate issued by the Texas Department of Motor Vehicles.
- (b) A utility vehicle operated on a highway pursuant to this Article shall be equipped with the safety equipment and display lights as required by Texas Transportation Code Section 551A.071 and shall display an off-highway vehicle license plate issued by the Texas Department of Motor Vehicles.

Sec. 110-322. – License and financial responsibility required.

An operator operating a motorized cart as authorized by this Article shall carry on the operator's person a valid driver's license and proof of valid liability insurance covering that operator's operation of said motorized cart.

Sec. 110-323. - Operational regulations.

- (a) Operators of motorized carts shall obey all traffic regulations applicable to vehicular traffic when operating a motorized cart pursuant to this Article.
- (b) Motorized carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic except for official police business or by League City personnel conducting a required job function directly related to their assigned duties.
- (c) All motorized carts are entitled to full use of a lane on the authorized streets and parking areas of the city and no motor vehicle shall be driven in such a manner as to deprive any motorized cart of the full use of a lane.
- (d) The driver of a motorized cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (e) No driver shall operate a motorized cart between lanes of traffic or between adjacent lines or rows of vehicles.

- (f) The number of occupants in a motorized cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated upon the seat of the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated. The operator shall not permit any occupant of the cart to ride in the lap of any occupant while the cart is in motion.
- (g) Children must be properly seated while a motorized cart is in motion and may not be transported in a reckless or negligent manner. No person younger than six years of age may be transported in a motorized cart unless restrained by a safety belt restraint.
- (h) Motorized carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of motorized carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. No person may park a motorized cart within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by the cart.
- (i) Motorized carts may not be used for the purpose of towing another cart, trailer or vehicle of any kind including a person on roller skates, skateboard or bicycle. A person employed by a golf course may tow a cart(s) for the purpose of relocating the cart(s) from one portion of a golf course to another portion of the same golf course.
- (j) Motorized carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.