

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

ORDINANCE NUMBER 267-2022

GOLF CART ORDINANCE

AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY

WHEREAS, the Mississippi Legislature passed Senate Bill 3303 during the 2020 regular session. *See Exhibit "A" attached hereto; and*

WHEREAS, Senate Bill 3303 allows the legal use of golf carts and low-speed vehicles on selected public roads and streets within the City of Gautier, so long as certain requirements are met; and

WHEREAS, the City of Gautier desires to authorize lawful operation of golf carts and low-speed vehicles on selected public roads and streets within city limits.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI:

SECTION I.

Chapter 14, Article IV is hereby created and titled "Golf Carts and Low Speed Vehicles" and is to read as follows:

SECTION II.

Section 14-33 shall be added to the Code of Ordinances and shall read as follows:

14-33. – Definitions

The following terms and phrases, when used in this chapter, shall have the meaning ascribed, except where the context clearly indicates a different meaning

(a) "City" means the City of Gautier, Mississippi.

(b) "Governing authorities" means the Mayor and City Council of the City of Gautier Mississippi.

(c) "Golf cart" means a motor vehicle designated and manufactured for operation on a golf course for sporting or recreational purposes, is not capable of exceeding speeds of twenty-five (25) miles per hour, and is equipped with a parking brake, head lamps, tail lamps, seat belts, and front and rear turn signals. This definition specifically excludes

vehicles commonly known as "Go-Karts".

(d) "Low-speed vehicle" means any four-wheeled electric or gasoline powered vehicle that has a top speed greater than twenty (20) miles per hour but less than twenty-five (25) miles per hour and is equipped with safety equipment as required under 49 CFR Section 571.500. This definition specifically excludes vehicles commonly known as "Go-Karts".

(e) "Designated cart pathways" means any and all City streets and roads so designated on the map attached hereto as "Exhibit B".

SECTION III.

Section 14-34 shall be added to the Code of Ordinances and shall read as follows:

14-34. – Permissible Operation and Registration Requirements

(a) Golf carts and/or low-speed vehicles may be operated on all City streets and roads where the posted speed limit does not exceed twenty-five (25) miles per hour and designated cart pathways.

(b) Any person operating a golf cart or low-speed vehicle on the public roads and streets must have in his or her possession a valid driver's license or temporary driver's permit and proof of insurance as required under Section 63-15-1 et seq., Mississippi Code of 1972.

(c) Golf carts and low speed vehicles may not be operated on interstate highway or state highways except for the crossing of these streets, in which case the shortest traveling distance to do so shall be required.

(d) Drivers of golf carts and/or low-speed vehicles are required to operate said vehicles in the outside lane of multi-lane streets and roads, where applicable.

(e) Operation of golf carts and/or low-speed vehicles is subject to all other applicable laws of the State of Mississippi and the City related to traffic and parking, along with corresponding penalties, not specifically addressed herein.

(f) Every low-speed vehicle and golf cart to be operated on a public road or street shall be required to register the vehicle with the City of Gautier. The Planning Department for the City of Gautier shall issue said registrations and collect the funds for same as outlined below to be provided to the City Clerk for deposit into the municipal general fund. Cost for the registration shall be twenty-five dollars and no/100 (\$25.00) to cover administrative time and expenses, payable to the City of Gautier. Upon registration a decal shall be provided by the Planning Department that must be displayed on the left rear fender of the vehicle. The registration shall remain valid for as long as the registering owner owns the low-speed vehicle or golf cart.

(g) Golf carts and/or low speed vehicles properly registered with other Mississippi municipalities, to non-Gautier residents, for use on public roads or streets may be operated within the City of Gautier without further registration so long as said golf carts

or low speed vehicles are operated in compliance with the remaining provisions of this ordinance. Proof of such registration must be in the golf cart or low speed vehicle during operation.

(h) Vehicles commonly known as "Go-Karts" are not eligible for registration or use on public roads or streets under this ordinance. Go-Karts are small, light, low-slung four-wheeled vehicles, powered by an electric motor or gasoline engine.

SECTION IV

Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION V

It is hereby declared to be the intention of the City Council that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

SECTION VI

This Ordinance shall take effect in the manner prescribed by law.

SECTION VII

That upon adoption, the City Clerk shall cause this Ordinance to be recorded in the Book of Ordinances of the City of Gautier, Mississippi, and published in the manner prescribed by law.

SECTION VIII


The provisions of this Ordinance may be included and incorporated in the Code of Ordinances of the City of Gautier, Mississippi, as an addition thereto, and appropriately renumbered to conform to the uniform numbering system of the Code.

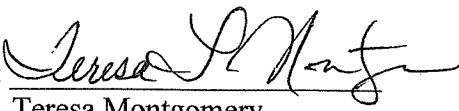
Thereupon, upon motion duly made by **Councilman Colledge**, seconded by **Councilman Anderson** to adopt the foregoing ordinance and received the following votes:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

Thereupon, the Mayor declared said Amended Ordinance approved, passed and adopted on this the 1st day of November, 2022.


Casey Vaughan, Mayor

Attest: 
Teresa Montgomery
City Clerk