

Ordinance 2019-54

An Ordinance of Osceola County Board of County Commissioners, Enacting Article III “Golf Carts” of Chapter 18 “Roads, Bridges, Streets, Alleys and Sidewalks”; Providing for Severability; Providing for Conflict; Providing for Inclusion into the Code; Providing for Filing with Department of State; Providing for an Effective Date.

WHEREAS, Section 316.212, Florida Statutes, authorizes counties to designate county roads for the operation of golf carts; and

WHEREAS, prior to making such a designation, the County must determine that golf carts may safely travel on or cross the designated roads. After making such a determination, the County must post appropriate signs to indicate that such operation is allowed; and

WHEREAS, the County has completed a golf cart warrant study, which shall be retained by the County in accordance with the requirements of Florida law, which determines whether the golf carts may safely travel on or cross the public roads or streets in the community, considering factors like speed, volume, and character of motor vehicle traffic using the street; and

WHEREAS, Section 316.212(5), Florida Statutes, states that golf carts may operate on such public roads or streets during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield; and

WHEREAS, it is the intent of the Board of County Commissioners of Osceola County, Florida (the "Board") to allow the use of only those golf carts meeting the specific safety and operational criteria set forth herein; and

WHEREAS, it is the further intent of the Board to encourage the use of alternate modes of transportation which, from an environmental standpoint, are energy-efficient and output low emissions; and

WHEREAS, the Board takes notice of the fact that the character, layout and design (including design speeds) of certain County roads within the community lend themselves to the operation of golf carts thereon; and

WHEREAS, the Board has received and considered a recommendation from the County Engineer indicating that, subject to the posting of appropriate signage and compliance with the other requirements of this Ordinance, certain designated County roads within the community are safe for the operation of golf carts.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. Article III “Golf Carts” of Chapter 18 “Roads, Bridges, Streets, Alleys and Sidewalks” is hereby adopted as follows:

**CHAPTER 18
ROADS, BRIDGES, STREETS, ALLEYS AND SIDEWALKS**

ARTICLE III. – GOLF CARTS

Sec. 18-36. Intent; Definitions

- (a) *Intent.* Pursuant to Florida Statutes, Section 316.212 (2019), it is the intent of the commission to allow and authorize operation of golf carts under the conditions specified herein and set forth in the above-referenced statute on the county roads designated in this section.
- (b) *Definitions.* The following words and phrases when used in this Ordinance shall have the definitions set forth in this section. Whenever any words or phrases used in this Ordinance are not defined herein, but are defined in the Florida Statutes and any amendments thereto, such definitions shall apply.

Designated Roads means the County roads, or portion thereof, that the County has assessed in accordance with Florida Statutes, Section 316.212(1)(2019), and designated as roads for use by golf carts.

Golf Cart means a motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes. The golf cart shall be equipped with functional: brakes, steering apparatus, tires, rearview mirror, horn, and red reflectorized warning device in both the front and rear.

Sec. 18-37. Operator Safety Criteria

The following operator safety criteria shall be adhered to at all times:

- (a) A golf cart may only be operated on the Designated Roads by a driver with a valid, current driver’s license.
- (b) If required by the State of Florida, operators must meet minimum financial responsibility requirements by obtaining liability insurance coverage for their golf carts in the type and amounts that are not less than the minimums established and must carry proof of such insurance with them at all times.
- (c) Operators must maintain their golf carts in a safe operating condition at all times.

- (d) Operators may only travel on Designated Roads.
- (e) A golf cart shall not be operated with more occupants than the number for which it was designed to carry safely.

Sec. 18-38. Posting of appropriate signs

Osceola County will post appropriate signs where the operation of golf carts is allowed within the County. The County’s Transportation and Transit Department is directed to create a “Golf Carts on Public Roads Policy” for future analysis and approval of Designated Roadways. Said policy will set the standards governing assessment, approval and reimbursement of costs to the County for golf cart road designations.

Sec. 18-39. Enforcement; Penalties for violation; Retroactivity

- (a) Golf carts, and the operators thereof, may only operate on Designated Roads if they are in compliance with all requirements of this Ordinance, state, and federal law. Any person operating a golf cart in violation of this Article will be subject to the appropriate penalties under Florida State law. Those in violation of the provisions of the Article will also be subject to a non-criminal traffic infraction as provided in Florida Statutes, Section 316.212.
- (b) The Board reserves the right to establish more restrictive conditions in addition to those set forth in this Ordinance pursuant to Section 316.212(8), Florida Statutes.
- (c) This ordinance does not affect the communities that have had Designated Roadways approved by the County prior to the enactment of this Ordinance.
- (d) Any change, modification or addition to the Designated Roads set forth in this Article will require a further safety analysis and an amendment to this Article.

Sec. 18-40. Designation of Certain County Roads for Use by Golf Carts in the Harmony Community

Subject to compliance with all aspects and requirements of this Article, it is hereby resolved that the County roads in the Harmony community illustrated and identified below and visually on Exhibit "A" to Ordinance Number 2019-54, attached hereto and incorporated herein, shall be Designated Roads for use by golf carts. The restricted segments are listed in the table below. Operators may operate golf carts on Designated Roads from sunrise to sunset and during the period between sunset and sunrise only if the golf cart meets the minimum criteria as established in Florida Statutes, Section 316.212(5)(2019). The County Engineer shall post appropriate signage to indicate that golf cart operation on the Designated Roads in the Harmony community is permitted. The Harmony community shall reimburse the County Transportation and Transit Department the full cost to furnish and install said signs completed for the project. The costs will be paid by the Harmony community prior to the installation of the signs, and the golf carts may not operate in the community until the signage has been installed.

The Designated Roads, and excluded sections, in the Harmony community are as follows:

5 Oaks Drive, excluding the section from US 192 to Haycutter Drive	Bayflower Avenue
Beargrass Road	Blazing Star Lane
Bluestem Road	Bracken Fern Drive
Buck Lane	Butterfly Drive
Buttonbush Loop	Cat Brier Trail
Clay Brick Road	Cupseed Lane

Dahoon Holly Court	Dark Sky Drive
Feathergrass Court	Forty Banks Road
Galaxy Lane	Galingale Lane
Goldflower Avenue	Gopher Apple Way
Grande Heron Drive	Habitat Drive
Harmony Square Drive, excluding the section from US 192 to 125' south of Harmony Square South	Harmony Square Drive East
Harmony Square Drive South	Harmony Square Drive West
Haycutter Drive	Indian Grass Road
Little Blue Lane	Middlebrook Place
Needlegrass Lane	Oak Glen Trail
Oakmark Road	Pond Pine Road
Primrose Willow Drive	Red Lantern Drive
Sagebrush Street	Schoolhouse Road
Sebastian Bridge Lane	Sedges Lane
Southern Pine Road	Sundrop Street

Sec. 18-41. Designation of Certain County Roads for Use by Golf Carts in the Chatham Park Community

Subject to compliance with all aspects and requirements of this Article, it is hereby resolved that the County roads in the Chatham Park community illustrated and identified below and visually on Exhibit "B" to Ordinance Number 2019-54, attached hereto and incorporated herein, shall be Designated Roads for use by golf carts. The restricted segment where golf cart operation is not allowed is Asbury Court. Operators may operate golf carts on Designated Roads from sunrise to sunset and during the period between sunset and sunrise only if the golf cart meets the minimum criteria as established in Florida Statutes, Section 316.212(5)(2019). The County Engineer shall post appropriate signage to indicate that golf cart operation on the Designated Roads in the Chatham Park community is permitted. The Chatham Park community shall reimburse the County Transportation and Transit Department the full cost to furnish and install said signs completed for the project. The costs will be paid by the Chatham Park community prior to the installation of the signs, and the golf carts may not operate in the community until the signage has been installed.

The Designated Roads in the Chatham Park community are as follows:

Avondale Court	Brittany Lane
Brookshire Court	Chatham Circle
Monarch Lane	Park Forest Loop
Sausalito Lane	

Sec. 18-42. Designation of Certain County Roads for Use by Golf Carts in the Pine Grove Community

Subject to compliance with all aspects and requirements of this Article, it is hereby resolved that the County roads in the Pine Grove community illustrated and identified below and visually on Exhibit "C" to Ordinance Number 2019-54, attached hereto and incorporated herein, shall be Designated Roads for use by golf carts. The restricted segments where golf cart operation is not allowed are Bass Highway throughout the community and Woods Street throughout the community. Operators may operate golf carts on

Designated Roads from sunrise to sunset and during the period between sunset and sunrise only if the golf cart meets the minimum criteria as established in Florida Statutes, Section 316.212(5)(2019). The County Engineer shall post appropriate signage to indicate that golf cart operation on the Designated Roads in the Pine Grove community is permitted. The Pine Grove community shall reimburse the County Transportation and Transit Department the full cost to furnish and install said signs completed for the project. The costs will be paid by the Pine Grove community prior to the installation of the signs, and the golf carts may not operate in the community until the signage has been installed.

The Designated Roads in the Pine Grove community are as follows:

Central Avenue	Cod Street
Dolphin Drive	Flounder Street
Gar Street	Grouper Street
Haddock Street	Marlin Street
Salmon Street	Tarpon Boulevard
Trout Boulevard	

SECTION 2. SEVERABILITY.

If any portion of this Ordinance, or application thereof, is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application and, to that end, the provisions of this Ordinance are deemed and declared severable.

SECTION 3. CONFLICT.

All Ordinances, or parts of Ordinances, in conflict herewith shall be and the same are hereby repealed to the extent of such conflict.

SECTION 4. EFFECTIVE DATE.

Within 10 days after enactment by the Board of County Commissioners, a certified copy of the ordinance shall be filed with the Department of State and will be effective upon 90 days from the date of filing.

DONE AND ADOPTED this ____ day of _____, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA**

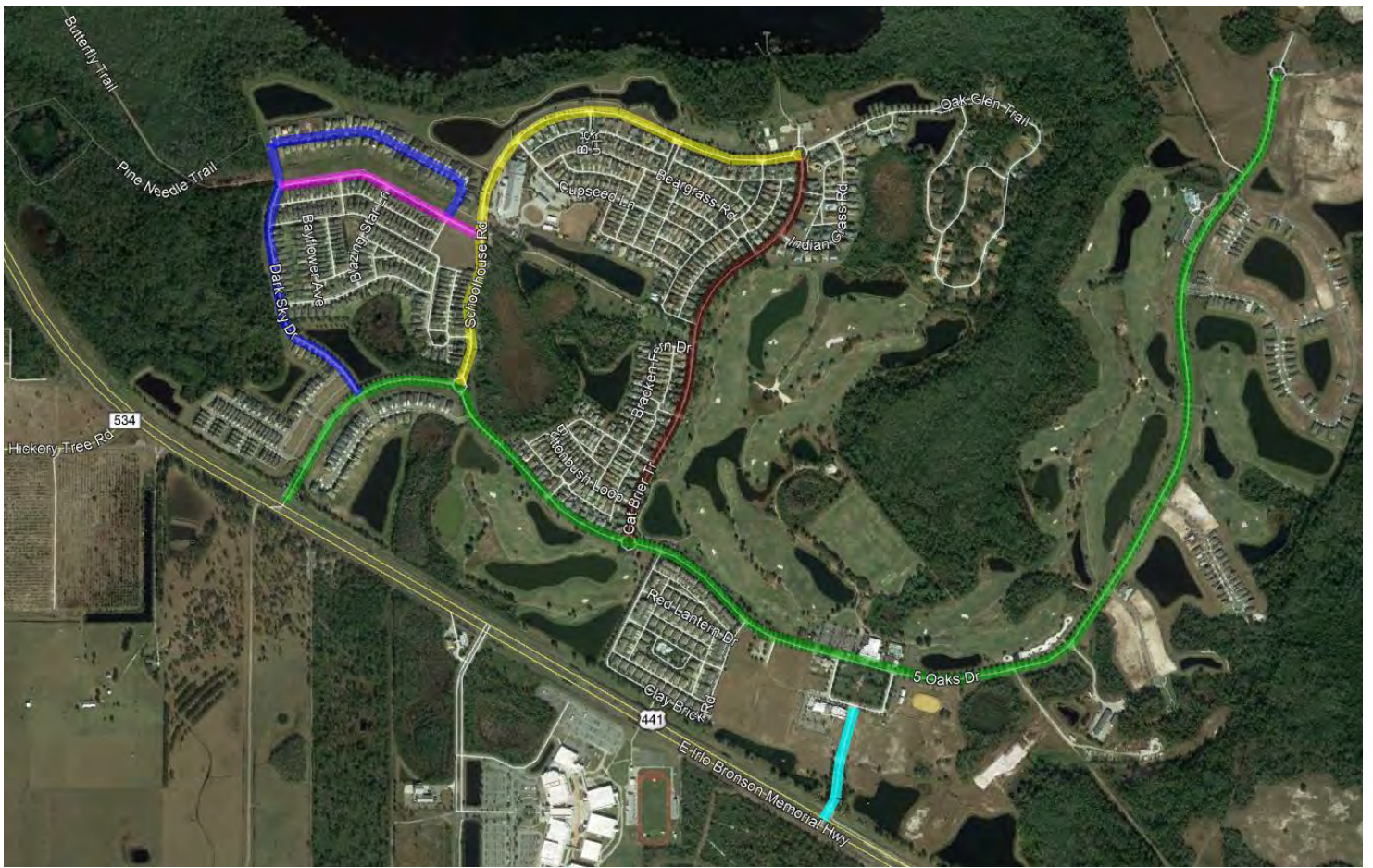
By: _____
Chair/Vice Chair

**ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD**

By: _____
Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:

EXHIBIT A



Harmony is a residential community off US 192 in Osceola County as platted in Plat Book and Pages:

1. 19; 163 through 176
2. 20; 118 and 120 through 128
3. 21; 36 through 40
4. 23; 22 through 27
5. 24; 32 through 39 and 110 through 119
6. 25; 76 through 82
7. 27; 49 and 116 through 120

The main roads within the community are (highlighted color):

- 5 Oaks Drive (green)
- Dark Sky Drive (blue)
- Schoolhouse Road (yellow)
- Butterfly Drive (pink)
- Cat Brier Trail (brown)
- Harmony Square Drive (cyan)

Golf cart use is **ACCEPTABLE during daytime and nighttime periods in all areas of the community EXCEPT for two segments of roadway.** Restricted segments are:

- 1) 5 Oaks Drive from US 192 to Haycutter Drive and;
- 2) Harmony Square Drive from US 192 to approximately 120 feet south of Harmony Square South Drive.

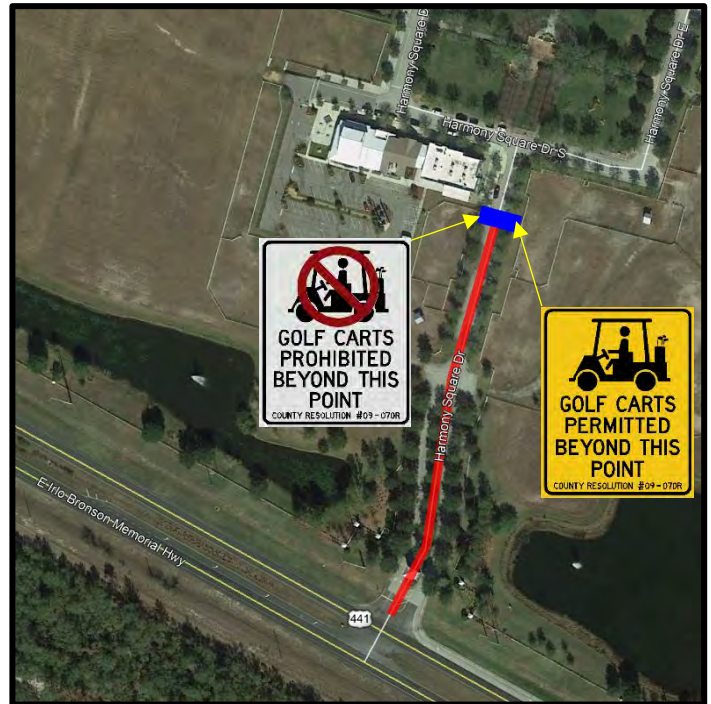
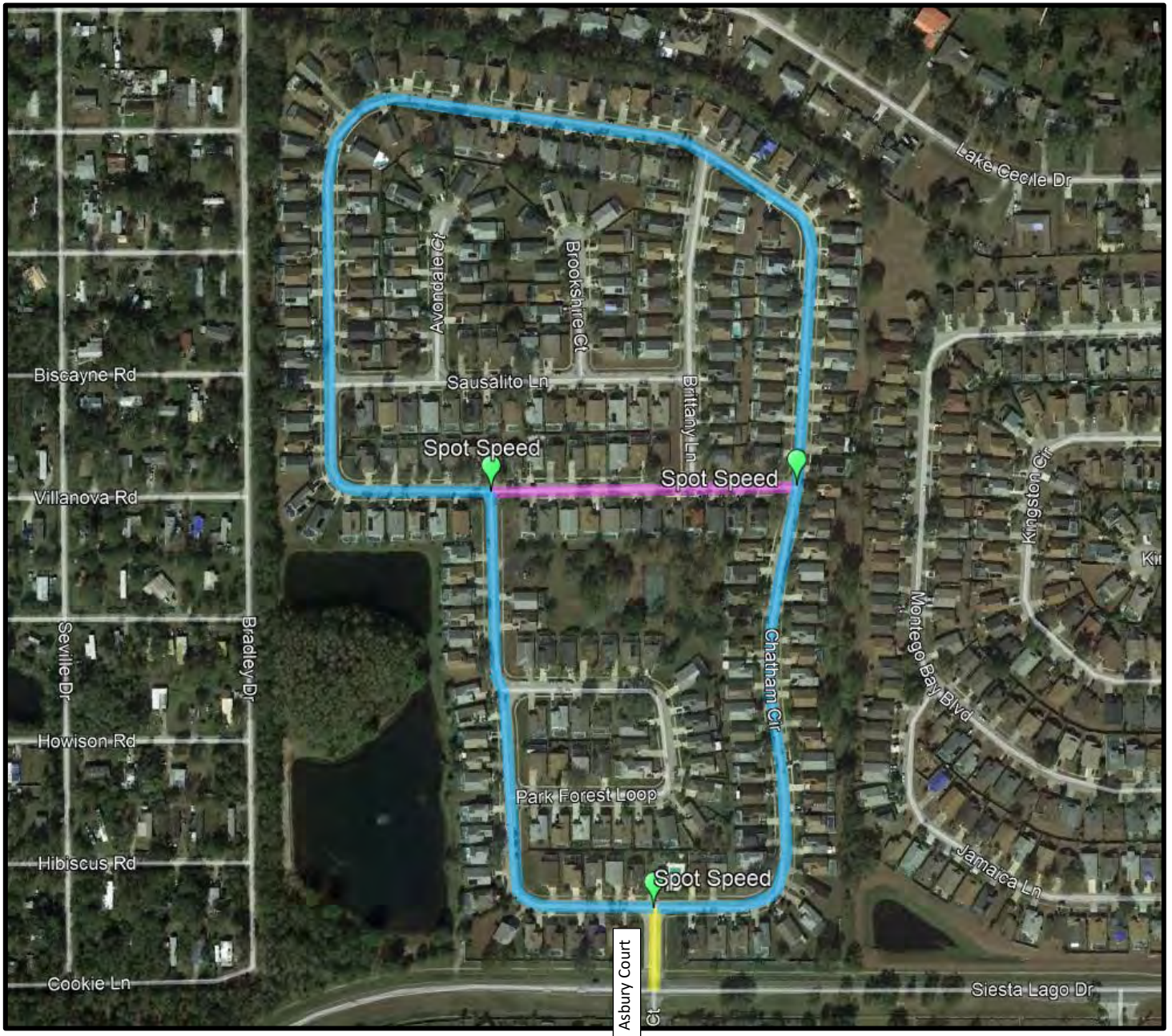


EXHIBIT B



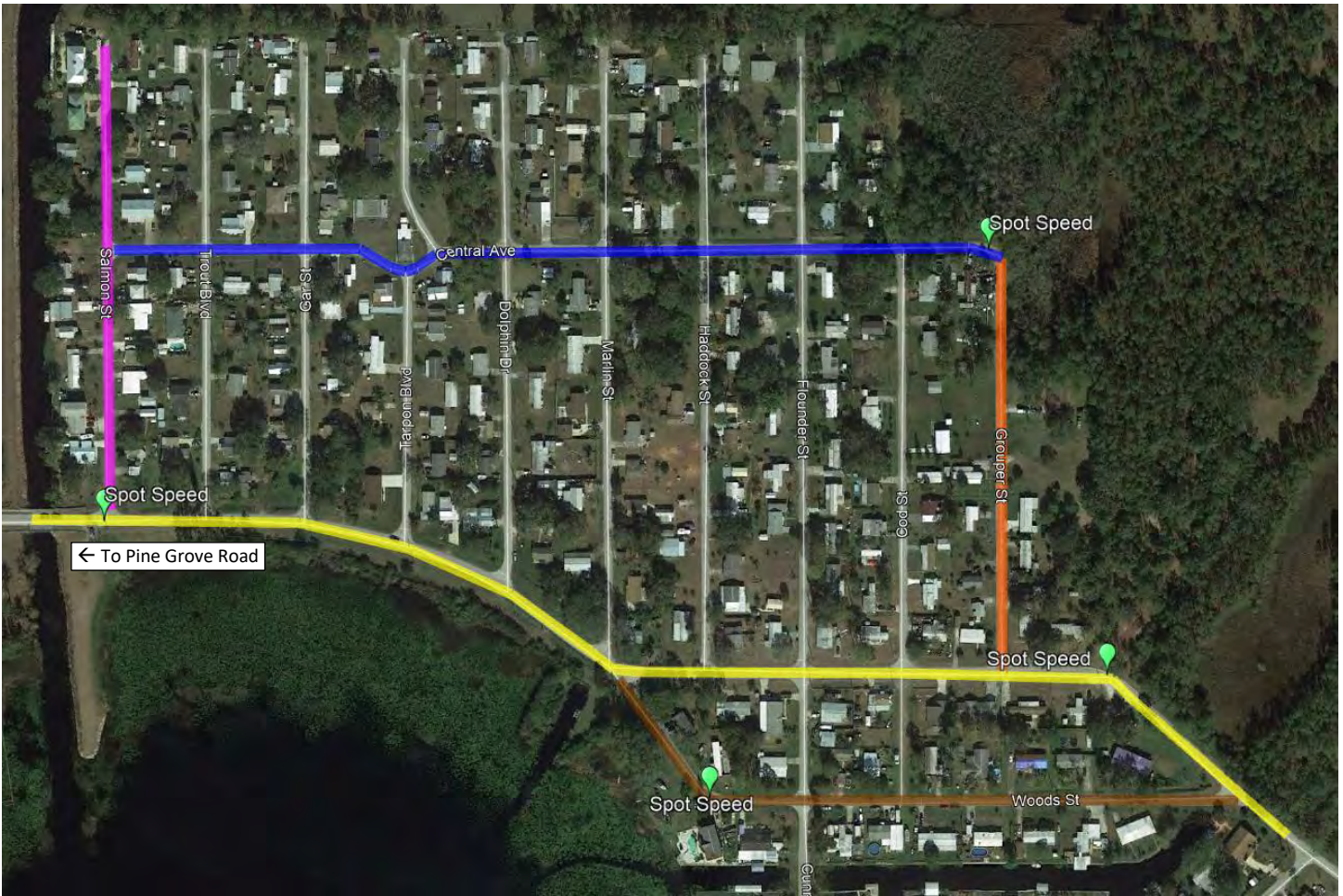
Chatham Park is a residential community off Siesta Lago Drive in northwest Osceola County. The main roads within the community are (highlighted color):

- Asbury Court (yellow)
- Chatham Circle (blue)
- Monarch Lane (magenta)

Golf cart use is **ACCEPTABLE during daytime and nighttime periods in all areas of the community EXCEPT for one segment of roadway.** Restricted segment is Asbury Court.



EXHIBIT C



Pine Grove Park is a residential community off Bass Highway in the northern central area of Osceola County. The main roads within the community are (highlighted color):

- Bass Highway (yellow)
- Central Avenue (blue)
- Salmon Street (magenta)
- Grouper Street (orange)
- Woods Street (brown)

Golf cart use is **ACCEPTABLE during daytime and nighttime periods in all areas of the community EXCEPT for two segments of roadway.** Restricted segments are:

1. Bass Highway throughout community
2. Woods Street throughout community

