



The Town of Pine Knoll Shores
Police Department
Pine Knoll Shores, North Carolina

GOLF CART ORDINANCE

WHEREAS, the Board of Commissioners of the Town of Pine Knoll Shores, does hereby find and determine that the establishment of a golf cart ordinance is necessary to address the interest of public safety; and

WHEREAS, the Town of Pine KNOLL SHORES RECOGNIZES THAT GOLF CARTS, hereinafter "cart(s)," are not designed or manufactured to be used on public streets and roads, hereinafter "road(s)," and the Town of Pine Knoll Shores in no way advocates their operation on roads. The Town of Pine Knoll Shores, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance; and

WHEREAS, all persons who operate or ride upon carts on 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 motorist, bicyclists, and pedestrians; and

WHEREAS, the Town of Pine Knoll Shores has no liability under any theory of liability, for permitting carts to be operated on roads under special legislation GS 160A-300.6, granted by the State Legislature.

NOW THEREFORE, BE IT ORDAINED BY THE Governing Board of the Town of Pine Knoll Shores, North Carolina that the following Golf Cart Ordinance be approved and reads as follows:

Chapter 51: Golf Carts

General Provisions

51-1	Purpose
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GENERAL PROVISIONS

Sec. 51-1. - Purpose.

The purpose of this chapter shall be to establish a golf cart ordinance within the Town of Pine Knoll Shores to promote the health, safety and welfare of persons operating cart(s) within the town.

(Ord. No. 2012-14, 8-23-2012)

Sec. 51-2. - Definitions.

For the purpose of this section, the following words and phrases shall have the following meanings:

- (1) *Golf cart*: A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 mph.
- (2) *Driver's license*: A valid license issued to operate a motor vehicle issued by North Carolina or any other state.
- (3) *Financial responsibility*: Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highway in the State of North Carolina.
- (4) *Operator*: Only persons over 16 years of age and holding a current and valid driver's license may operate a golf cart in Pine Knoll Shores.

(Ord. No. 2012-14, 8-23-2012)

Sec. 51-3. - Rules and regulations.

- (a) Carts may be driven on town roads only from 6:00 a.m. to 10:00 p.m.
- (b) Carts must be equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the cart) which are visible from a distance of 500 feet, rear vision mirror and a rear triangle reflector of the same type required by North Carolina law, four operating directional turn blinkers (two each side of the front and rear of the cart), and seat belts for all passengers.
- (c) Cart drivers must have a current and valid driver license in their name and have it on their person while operating the cart.
- (d) Cart drivers will stay to the far right of the traveled portion of the road and yield the right-of-way to vehicles and pedestrians.
- (e) All applicable state and municipal laws shall be adhered to, including the possession and use of alcoholic beverages and illegal drugs or any substance which impairs judgment.
- (f) The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and provided on the golf cart and the operator and all occupants shall be seated in the golf cart. No part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion and no passengers shall be carried on the part of the golf cart designed to carry golf bags.
- (g) The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the Town of Pine Knoll Shores which governs the operation of motor vehicles.
- (h) Carts shall not be operated on sidewalks or rights-of-way.



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- (i) Carts shall not be operated on private property, without the permission and consent of the property owner.
- (j) No golf cart may be operated on any Town of Pine Knoll Shores street with a posted speed limit of greater than 35 mph. However, carts may cross over roads that have a posted speed limit of greater than 35 mph as per G.S. 153A-245.
- (k) Children must be properly seated while the golf cart is in motion and may not be transported in a negligent manner.

Disqualified vehicles: All-terrain vehicle, four-wheel utility vehicles (exception is police club car and public safety four-wheel beach patrol vehicles and town maintenance vehicles), go-karts, and other similar utility vehicles, which are not manufactured for operation on a golf course, and/or a golf cart that has been modified so that it no longer meets the definition of golf cart may not be registered as a golf cart under this article, nor shall such vehicles be operated on public roads, streets and highways within the town, unless such vehicles are registered and permitted under the motor vehicle laws of North Carolina. An exception can be authorized during special events and presentations within the town (i.e., parades and special events) by the chief of police.

(Ord. No. 2012-14, 8-23-2012; Ord. No. 2012-16, 9-13-2012; Ord. No. 2015-04, 6-10-2015)

Sec. 51-4. - Inspection and fees.

For the purpose of this section, the inspection by the chief of police, or his/her designee, will cover the following safety requirements and every cart operating on Town of Pine Knoll Shores streets must have the following safety equipment:

- (1) Permits/stickers issued to operators/owners of golf carts by the Pine Knoll Shores Police Department.
- (2) All carts must meet the requirements or minimum standards of safety equipment as set forth in section 51-3.
- (3) To obtain a permit/sticker each **owner must have proof of ownership, and current liability insurance, and sign a waiver of liability**, releasing the Town of Pine Knoll Shores, its employees, and affiliates from all liability that may arise as a result of operating a cart inside the Town of Pine Knoll Shores. **A current waiver of liability must be on file with the Pine Knoll Shores Police Department, and must be renewed annually.**
- (4) Permits/stickers will be **issued annually, and are valid from January 1 to December 31 of each year.** Permits/stickers must be attached to the driver's side wind shield of the golf cart at all times. Such stickers will identify the golf cart as registered and are nontransferable to other golf carts or golf cart owners. The fees set forth by the board of commissioners in the town's fee schedule shall apply.

They are as follows:

- | | |
|--|-------------------------|
| a) Initial Inspection by Police Department
(includes permit/sticker) | \$75.00 |
| b) Re-inspection by Police Department
(failed initial inspection) | \$50.00 |
| c) Replacement Permit/Sticker | \$20.00 Annually |

- (5) Lost or stolen permit/stickers are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit/sticker. The chief of police will have the discretion in determining whether a permit/sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a permit/sticker, the chief of police may direct the applicant to reapply, and also submit any and all fees necessary, before a replacement permit/sticker is issued.



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- (6) Any person who operates a cart in the Town of Pine Knoll Shores and fails to receive and properly display a Town of Pine Knoll Shores permit/sticker will be subject to all applicable state laws, in addition to being in violation of this chapter and subject to fines.
- (7) Cart owners **must complete an approved registration form, waiver of liability form and provide a copy of the proof of current liability insurance prior to the cart being inspected.** The completed forms and proof of insurance will be maintained by the Pine Knoll Shores Police Department. **Owners must maintain proof of insurance throughout the registration period.**
- (8) The Pine Knoll Shores Chief of Police retains the right to refuse to issue and/or revoke any permit/sticker for any cart at any time for any reason that he/she feels is appropriate to ensure the safety and well-being of the citizens of the Town of Pine Knoll Shores (i.e., inspection failure, failure to maintain insurance, ordinance violations and license status revoked).

(Ord. No. 2012-14, 8-23-2012; Ord. No. 2014-02, 2-13-2014)

Sec. 51-5. - Penalty.

- (a) Any act constituting a violation of this chapter or a failure to comply with any of its requirements shall subject the offender, upon conviction, guilty of a misdemeanor, and subject to a fine not to exceed \$75.00.
- (b) Each day that any of the provisions of this chapter is violated shall constitute a separate offense and the subsequent fine will increase an additional \$50.00 not to exceed \$200.00. Two or more violations by the same owner/operator will be considered habitual and subsequently the owner/operator will receive a NC State citation rather than a Pine Knoll Shores Civil Ordinance citation.

(Ord. No. 2012-14, 8-23-2012)

Sec. 51-6. - Severability.

If any section, subsection, sentence or term of this chapter or any application thereof to any person or circumstance is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of any remaining portion of the ordinance codified herein, or its application to any other person or circumstance. The board of commissioners does not intend a result through the enforcement of this chapter that is absurd, impossible for execution, or unreasonable. The board of commissioners intends that the ordinance be held inapplicable in such case, if any, where its application would be unconstitutional under the Constitution of the State of North Carolina or under the Constitution of the United States of America.

(Ord. No. 2012-14, 8-23-2012)

Sec. 51-7. - Enforcement.

It shall be the policy of the Pine Knoll Shores Police Department to issue a written warning, NC State Uniform Citation, or a Pine Knoll Shores Civil Citation against any person the officer has probable cause to believe has violated this chapter, whether the offending person is a juvenile or any other person.

(Ord. No. 2012-14, 8-23-2012)

Sec. 51-8. - Exemptions.

Exempted from this chapter are the golf carts of the country club of the Crystal Coast when driven directly across Oak Leaf Drive between the club's entry driveway and the first tee and between the 15th hole and the tees for the 7th and 16th tees and golf carts used in town parades.

(Ord. No. 2012-14, 8-23-2012; Ord. No. 2014-02, 2-13-2014)



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GOLF CART REGISTRATION PACKET

Golf Cart Owner's Name _____ Driver's License # _____ State _____

Physical Pine Knoll Shores Address _____

Out of Town Address _____

City _____ State _____ Zip Code _____ Best Contact # (____) _____

Email _____ Full Time PKS Resident _____ Second Homeowner _____

CART INFORMATION

Year/Make of Cart _____ Color _____ Photo Attached _____ Yes _____ No

VIN # _____

Insurance Carrier _____ Phone # (____) _____

Insurance Policy Number _____ Eff. Date _____

INSPECTION REQUIREMENTS – Inspecting Officer Will Complete

Two Head Lights _____ Four Directional Turn Blinkers _____ Rear Vision Mirror _____ Rear Triangle Reflector _____

Two Tail/Brake Lights _____ Seat Belts/Each Passenger _____

Inspecting Officer Name _____ Date of Inspection _____ Permit Number _____

Approved by Chief of Police _____ Date _____

I have read and understand the Town of Pine Knoll Shores' Golf Cart Ordinance and Disclaimer of Liability. I acknowledge that I am responsible for the operation of this golf cart on the public vehicular areas within the Town of Pine Knoll Shores, North Carolina. I agree to be responsible for any person who operates my golf cart on a public street or public vehicular area in the Town of Pine Knoll Shores, North Carolina. I further acknowledge that the Town of Pine Knoll Shores, in providing this privilege, is in no way encouraging the operation of the golf cart. I release and forever discharge the Town, and all of the Town's employees and elected officials, from claims, demands, suits and judgments for personal injury, death, or property damage that result from the operation of the golf cart on public streets and/or public vehicular areas of the Town. Further, I agree to indemnify and hold harmless the Town of Pine Knoll Shores, North Carolina, its employees, elected officials, and its insurer(s) from any claim and liability in connection with any use of this golf cart on a public street or public vehicular area in the Town.

Signature of Owner

Date



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GOLF CART USE AND OPERATION DISCLAIMER OF LIABILITY

The Town of Pine Knoll Shores' Ordinance authorizing the use of Golf Carts on public streets and public vehicular areas was adopted to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets or public vehicular areas. The Town of Pine Knoll Shores, North Carolina in no way advocates their operation on public streets or vehicular areas. The Town of Pine Knoll Shores, by regulating such operation, is merely trying to address safety concerns, and the adoption of this Ordinance is not to be relied upon as a determination that operation on public streets or public vehicular areas is safe or advisable, if done in accordance with this Ordinance.

All persons who operate or ride upon golf carts on public streets or public vehicular areas 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 Town of Pine Knoll Shores has no liability under any theory of liability, and the Town of Pine Knoll Shores assumes no liability, for permitting golf carts to be operated on the public streets and public vehicular areas, as enabling legislation permits pursuant to §160A-300.6 of the North Carolina General Statutes.

By my signature below, I confirm that I have read and understand the DISCLAIMER above, and agree to indemnify and hold harmless the Town of Pine Knoll Shores, its employees, elected officials and its insurer(s) from any claim and liability in connection with any use of the golf cart by me or any other person on a public street or public vehicular area in the Town of Pine Knoll Shores. I release and forever discharge the Town, and all of the Town's employees and elected officials, from claims, demands, suits and judgments for personal injury, death, or property damage that result from the operation of the golf cart on public streets and/or public vehicular areas of the Town.

Printed Name

Signature

PKS Address

Mailing Address for Registration Sticker

Email

Best Contact #

☐ I understand that I am required to maintain proof of insurance throughout the registration period and my insurance is current.

Witness

Date

Paid: Cash-Receipt # / Check # / CC

Registration Sticker #