

Code
Change

ORDINANCE NO. 2017- 161

1
2
3 AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, CREATING
4 TAMPA CODE SECTION 14-50, AUTHORIZING THE OPERATION
5 OF GOLF CARTS ON THE PUBLIC ROADS OF THE DAVIS
6 ISLANDS COMMUNITY WITH SPECIFIED RESTRICTIONS;
7 PROVIDING FOR GOLF CART EQUIPMENT REQUIREMENTS;
8 PROVIDING FOR PENALTIES FOR OPERATION IN VIOLATION
9 OF THE RESTRICTIONS OR EQUIPMENT REQUIREMENTS;
10 PROVIDING FOR THE POSTING OF APPROPRIATE SIGNAGE;
11 AND PROVIDING AN EFFECTIVE DATE.
12

13 WHEREAS, Florida Statute Subsection 316.212(1) authorizes municipalities to
14 designate by ordinance roadways within the municipality that are suitable for use by golf
15 carts; and
16

17 WHEREAS, as a condition of making that designation, the statute requires the
18 municipal governmental entity to determine that golf carts may safely travel on the identified
19 roads considering factors including the speed, volume and character of motor vehicle traffic
20 using those roads; and
21

22 WHEREAS, the City of Tampa's Transportation Engineering Division has
23 conducted a review of the existing traffic conditions in the Davis Islands community and
24 concluded that with proper equipment and signage, golf carts could be safely operated on
25 community roads; and
26

27 WHEREAS, based upon the foregoing as well as personal knowledge, the Tampa
28 City Council has determined that golf carts may safely travel on the public roads within the
29 Davis Islands community considering factors including the speed, volume, and character of
30 motor vehicle traffic currently utilizing those roads.
31

32 NOW, THEREFORE, BE IT ORDAINED
33 BY THE CITY COUNCIL OF THE CITY
34 OF TAMPA, FLORIDA AS FOLLOWS:
35

36 Section 1. That Tampa Code Section 14-50 is hereby created to read in its entirety
37 as follows:
38

39 Sec. 14-50. Golf carts permitted on public roads on Davis Islands.
40

41 (a) Definitions: For the purposes of this section, the following terms shall have the
42 meanings given below:
43

44 (1) Davis Islands means the real property located within the City of
45 Tampa bounded by the Seddon Channel on the east, the Hillsborough
46 Bay on the south and west and the Hillsborough River on the north,

E2017-48 +
E2017-8CA14

not including any portion of the bridges connecting the islands to the mainland.

- (2) *Golf cart* means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

- (b) *Operation of golf carts on public roads of Davis Islands permitted:* Subject to the requirements and restrictions contained in this section and all applicable provisions of Florida Statutes, operation of golf carts on the public roads of Davis Islands is hereby permitted pursuant to Florida Statute Section 316.212 (2016). Operation of golf carts during the hours of sunset to sunrise is also authorized for golf carts fully equipped as set forth herein. Notwithstanding Tampa Code Section 14-3, the provisions of this section 14-50 shall apply only to Davis Islands.

- (c) *Required equipment:*

- (1) At all times while being operated on public roads, golf carts shall be equipped with:

Efficient brakes,
Reliable steering apparatus,
Safe tires,
A rearview mirror, and
Reflectorized warning devices in both front and rear.

Violation of the above equipment requirements is a nonmoving traffic infraction chargeable by uniform traffic citation as a violation of Florida Statute Subsection 316.212(6).

- (2) If operated on public roads during the hours between sunset and sunrise, the golf cart must additionally be equipped with:

Headlights,
Brake lights,
Turn signals, and
A windshield.

Violation of the additional equipment requirements is a moving traffic infraction chargeable by uniform traffic citation as a violation of Florida Statute Subsection 316.212(5).

- (d) *Minimum age to safely operate golf cart:* The driver of any golf cart operated on public roads must be a minimum of 16 years of age and display reasonable proof thereof to any requesting law enforcement officer. A person having a valid learner's driver license (at least 15 years of age) may operate a golf cart when in

1 full compliance with Florida Statute Section 322.1615. Violation of this
2 provision is a moving traffic infraction chargeable by uniform traffic citation as a
3 violation of Florida Statute Subsection 316.212(8).
4

5 (e) *Golf carts subject to traffic laws applicable to motor vehicles in general.* When
6 operated on public roads, golf carts are considered to be motor vehicles and,
7 unless specifically exempted by provisions of state law, are subject to the same
8 traffic laws applicable to all motor vehicles.
9

10 (f) *Occupancy of golf carts on public roads.* All occupants of golf carts must remain
11 seated on proper, permanently attached seats while the golf cart is in motion on
12 public roads. Violation of this provision is a moving traffic infraction chargeable
13 by uniform traffic citation as a violation of Florida Statute Subsection 316.212(8).
14

15 (g) *No operation of golf carts along sidewalks or other public property.* Nothing
16 herein shall be construed to permit the operation of golf carts on sidewalks or any
17 public property other than roadways or parking areas designed and intended for
18 the operation of motor vehicles.
19

20 (h) *Release and indemnification.* All operators, owners and passengers of golf carts
21 operating pursuant to this section are exercising the privilege at their own risk and
22 assuming sole liability for their actions and by such operation or participation
23 agree to hold harmless, release, defend and indemnify the City of Tampa, its
24 officials and employees from all claims, demands, or damages of any nature
25 whatsoever arising from the operation or presence of any golf cart on public
26 property.
27

28 (i) *Penalties.* Penalties for violation of any subsection of this ordinance shall be as
29 specified by the applicable provision of Florida Statutes Chapter 318.
30

31 **Section 2.** That the City of Tampa's Transportation and Stormwater Operations
32 Division shall post appropriate signage in the Davis Islands community to advise citizens that
33 the operation of golf carts is allowed including reference to the code section created by this
34 ordinance.
35

36 **Section 3.** That if any part of this ordinance is declared unconstitutional or
37 otherwise invalid by a court of competent jurisdiction, the remaining provisions shall remain
38 in full force and effect.
39

40 **Section 4.** That this ordinance shall take effect immediately upon becoming a law.
41

42 **PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
43 **TAMPA, FLORIDA, ON** NOV 02 2017
44
45
46

1 ATTEST:

2 *Lyndee J. Czeri*
3 CHAIRMAN/CHAIRMAN PRO-TEM
4 CITY COUNCIL
5

Shirley Fox-Kraus
CITY CLERK/DEPUTY CITY CLERK

8 APPROVED BY ME ON NOV 20 2017

12 *Bob Buckhorn*
13 BOB BUCKHORN, MAYOR

15 PREPARED BY AND APPROVED
16 AS TO LEGAL SUFFICIENCY:

19 KIRBY C. RAINSBERGER
20 CHIEF ASSISTANT CITY ATTORNEY
21