

# HCV Golf Cart Permit

Permit # \_\_\_\_\_  
Fee: **\$50**  
Receipt# \_\_\_\_\_  
Date Paid \_\_\_\_\_  
Received By \_\_\_\_\_

Applicant Name: \_\_\_\_\_ Email \_\_\_\_\_

Applicant Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Phone Number: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Cell) \_\_\_\_\_

Applicant Driver's License: (Number) \_\_\_\_\_ (State) \_\_\_\_\_

## **GOLF CART INFORMATION**

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_

Vehicle Identification Number / Serial Number: \_\_\_\_\_

Electric or Gas: \_\_\_\_\_

Insurance Company \_\_\_\_\_ Policy # \_\_\_\_\_

(Inspector Use Only)

## **REQUIRED INSPECTION ITEMS:**

Head Lamps (2 Required) \_\_\_\_\_ Electric Horn \_\_\_\_\_ (Audible at 200')

Tail Lamps (2 Required) \_\_\_\_\_ Rear View Mirror \_\_\_\_\_ (Unobstructed view of 200')

Slow Moving Emblem \_\_\_\_\_ Parking Brake \_\_\_\_\_ Seat Belts \_\_\_\_\_

Side Reflectors-Each Side (Front-amber / Back-red) \_\_\_\_\_ Muffler System (gas) \_\_\_\_\_

Speed (not to exceed 25MPH) \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inspector Printed Name: \_\_\_\_\_

Inspector Signature: \_\_\_\_\_

Date of Inspection: \_\_\_\_\_

I have been provided Golf Cart Ordinance 1223 and I will comply. **Initials** \_\_\_\_\_

**\*\*\$50 Permit fee is paid to the permit clerk at the Hill Country Village City Hall after the inspection\*\*** **\*\*\$10 for re-inspection\*\***

AN ORDINANCE AMENDING CHAPTER 58, TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES FOR THE CITY OF HILL COUNTRY VILLAGE, TEXAS BY ADDING ARTICLE VIII, MOTORIZED CARTS, PROVIDING FOR USE OF MOTORIZED CARTS IN THE CITY OF HILL COUNTRY VILLAGE AND ESTABLISHING A PENALTY OF A FINE IN ACCORDANCE WITH SECTION 1-9 OF THE CODE OF ORDINANCES OF THE CITY OF HILL COUNTRY VILLAGE FOR VIOLATIONS

WHEREAS, the Texas Transportation Code H.B. No. 2553 authorizes the governing body of a municipality to regulate and control the operation of motorized carts within the City's legal boundaries and on its public streets to ensure the public safety of the community; and

WHEREAS, City Council of the City of Hill Country Village, Texas, deems it to be in the best interest and safety of the citizens to regulate and control the operation of motorized carts within the City's legal boundaries and on its public streets.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILL COUNTRY VILLAGE, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. Chapter 58 of the Code of Ordinances of the City of Hill Country Village, Texas shall hereby be amended by the addition of Article VIII to read as follows:

**ARTICLE VIII. MOTORIZED CARTS**

**Sec. 58-190. Applicability.**

The provisions of this ordinance shall apply to all motorized carts operated upon a public street or public cart path within the City of Hill Country Village except:

1. The operation of motorized carts is not subject to the provisions of this article if such operation is:

a. 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.

**Sec. 58-191. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

*Cart Path* means an improved path designed for the sole movement of a motorized cart. A cart path shall be designed and constructed as designated by the City Engineer.

*Driver* means the person driving and having physical control over the motorized cart.

*Driver's License* means an authorization issued by a State for the operation of a motor vehicle. The term includes: (1) a temporary license or instruction permit and (2) an occupational license.

*Motorized cart* means those electric and gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four wheels and which have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as ATVs, off-road vehicles, four-wheelers, mules, and gators, and any vehicle which have been altered to allow it to travel at a speed greater than 25 miles per hour.

*Multi-use Cart Path* a path used designed and constructed to facilitate the movement of motorized carts and pedestrian traffic. The multi-use path is designated by a sign at the entrance and exit of the path and further designated by a multi-use path signs placed at 150' intervals in each direction. The multi-use path shall be designed and constructed in accordance with generally accepted engineering practices and approved by the City Engineer.

*Owner* means the person holding title to the motorized cart.

*Parking area* means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

*Permit* means a certificate/decal of authorization issued to the applicant authorizing the operation of the motorized cart for which the permit was issued. The decal will display the month and year of expiration.

*Permit holder* means the person to whom a motorized cart permit has been issued.

*Public Cart Path* means an improved path designed for the sole movement of a motorized cart which is available for use by the general public.

*Sidewalk* means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

**Slow-Moving-Vehicle-Emblem** means a triangular emblem that conforms to standards and specifications adopted under Section 547.104 of the Texas Transportation Code and displayed in accordance with Section 547.703 of the Texas Transportation Code.

**Street** means the public roadways of the City of Hill Country Village by whatever name, e.g. road, street, alley, avenue, highway, route, boulevard, etc. that (a) has a posted speed limit of 35 miles per hour or less; or (b) provides for no more than two lanes of vehicular traffic per direction; or (c) is not designated as part of either the State or Federal highway system.

**Trafficway** is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The trafficway includes all property, both improved and unimproved, between the property lines of a roadway system.

**Working Days** shall mean Monday through Friday excluding City holidays.

**Sec. 58-192. Electric and gasoline motorized cart required equipment.**

A. Every motorized cart required to be permitted must be equipped, as mandated by the Texas Transportation Code, Section 551.404(b) and/or required by the City of Hill Country Village, with the following:

- (a) Operational headlamps; (2 required);
- (b) Operational tail lamps; (2 required);
- (c) Side reflectors; (2 front: amber in color and 2 rear: red in color);
- (d) Operational parking brake;
- (e) Rearview mirror(s); (capable of a clear unobstructed view of at least 200 feet to therear);
- (f) Slow Moving Vehicle Emblem;
- (g) Horn (must be audible for a distance of 200 feet in compliance with Texas Transportation Code, Section 547.501); and
- (h) Seat belts.

All required equipment shall meet Texas and Federal Motor Vehicle Safety Standards.

**Sec. 58-193. Gasoline carts.**

Every motorized cart powered by gasoline shall at all times be equipped with an

exhaust system in good working order and in constant operation and meeting the following specifications:

(a) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.

(b) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems

(c) The engine and powered mechanism of every motorized cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order.

#### **Sec. 50-194. Operational Regulations.**

(a) All drivers of motorized carts shall hold a valid driver's license and shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and parking areas of the City.

(b) Motorized carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic.

(c) No person may operate a motorized cart upon any portion of a street or trafficway having a posted speed greater than 35 m.p.h.

(d) All motorized carts are entitled to a 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.

(e) The driver of a motorized cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(f) No driver shall operate a motorized cart between lanes of traffic or between adjacent lines or rows of vehicles.

(g) The driver of a motorized cart with a current and valid Texas driver's license operating the motorized cart on a street (as defined herein) may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions.

(h) 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 motorized cart. The operator and all occupants shall be seated upon the seat of the motorized cart and no part of the body of the operator or occupant shall extend outside the perimeter of the motorized cart while the

motorized cart is being operated. The operator shall not permit any occupant of the motorized cart to ride in the lap of any occupant while the motorized cart is in motion. All occupants must be properly seated and using seat belts while a motorized cart is in motion and may not be operated in a reckless or negligent manner.

(i) 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 6 years of age may be transported in a motorized cart unless restrained by a safety belt restraint.

(j) 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. Motorized carts shall not park 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 motorized cart.

(k) Motorized carts may not be used for the purpose of towing another motorized cart, trailer or vehicle of any kind including without limitation a person on roller skates, skateboard or bicycle.

(l) 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 five hundred (500) feet.

#### **Sec. 50-195. Liability.**

Nothing in this section shall be construed as an assumption of liability by the City of Hill Country Village for any injuries to persons, pets or property which may result from the operation of a motorized cart by an authorized driver.

Owners are fully liable and accountable for the actions of any individual that they provide permission to operate and drive said motorized cart, both on personal and/or city and public properties. Without limitation, the foregoing provisions apply to personal injuries or property damage resulting from motorized cart drivers who are minors under the age of 21 with or without a current and valid Texas driver's license.

#### **Sec. 50-196. Permit required.**

No person shall operate, cause to be operated, or allow the operation of a motorized cart on a public roadway unless a valid permit has been issued for that motorized cart or otherwise allowed by law.

Application for a permit authorizing the operation of a motorized cart shall be made by a person who owns, leases, or otherwise uses a motorized cart. Such application shall be made in writing to the Chief of Police or his designee on a form designated for that purpose.

On such application shall be set forth the following:

(a) The application shall include the name, address, telephone number and state driver's license number, if applicable, of the permit holder.

(b) The application shall include the street address where the motorized cart is kept.

(c) The application shall include any business name used for the premises where the motorized cart is kept.

(d) The application shall include year, make, model, color, vehicle identification number or serial number if no vehicle identification number has been issued to the motorized cart, electric or gasoline.

(e) The motorized cart shall be inspected by a person(s) and at a location designated by the Chief of Police to ensure compliance with requirements of this ordinance before the issuance of a permit.

(f) The applicant must provide written evidence of liability insurance covering the motorized cart or otherwise meet legal requirements for financial responsibility, all in accordance with the Texas Motor Vehicle Safety Responsibility Act (currently Chapter 601 of the Texas Transportation Code).

(g) The permit shall be permanently affixed on the left side of the motorized cart in such a manner that it is clearly visible from 50 feet. The permit must not be damaged, altered, obstructed, or otherwise made illegible. The permit holder shall apply for replacement permit and pay all applicable cost associated with the issuance and inspection of the motorized cart.

(h) The permit shall only be placed upon the motorized cart for which it was issued.

(i) A permit issued to a motorized cart shall become invalid if the motorized cart is altered in any manner that fails to comply with any requirement of this ordinance.

Permits/Stickers are valid for a period of one year. The following fees shall be charged:

1. Inspection by Police department \$50.00 (includes Permit/Sticker)
2. Re-inspection by Police Department \$10.00 (if a motorized cart fails the initial inspection)

The permit holder shall notify the Hill Country Village Police Department within ten working days if the motorized cart transfers ownership, or the address of the normal storage location has changed. The information shall be submitted on a form designated by the Chief of Police.

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. 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 resubmit any and all fees necessary, before a replacement Permit/Sticker is issued.

Any person who operates a motorized cart and fails to receive and properly display a City of Hill Country Village Permit/Sticker will be subject to all applicable state laws, in addition to being in violation of this ordinance.

A permit may be revoked at any time by the Chief of Police or designee if there is evidence that the permit holder cannot safely operate a motorized cart on the roadway of streets within the City of Hill Country Village or the motorized cart fails to comply with the requirement of this ordinance.

**Sec. 58-197. Penalties.**

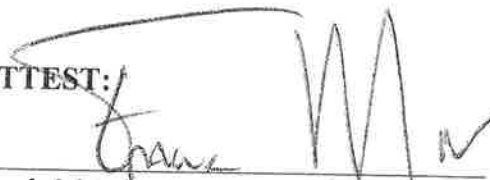
Any person violating any provision of this Article within the city limits shall, upon conviction, be punished as provided in Section 1-9 of this Code. A person may be convicted of violations of more than one provision of this Article for offenses occurring at the same time. Prosecution or conviction under this Article shall not be a bar to other remedies of relief for violations of this Article or other law.

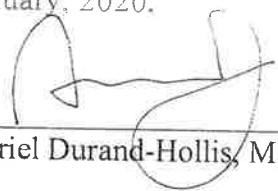
Section 3. This ordinance shall take effect one day after publication of this ordinance or of the caption of this ordinance in the official newspaper of the City of Hill Country Village and will remain in effect for a period of one year after the date of said publication. By ordinance adopted during said one year period, the City Council may revise the period this Ordinance will be in effect. If the period this Ordinance is in effect is not revised, this Ordinance will expire one year after the date of said publication.

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

PASSED, APPROVED and ADOPTED by the City Council of the City of Hill Country Village, Texas, on this 16<sup>th</sup> day of January, 2020.

ATTEST:

  
\_\_\_\_\_  
Frank Morales, City Administrator

  
\_\_\_\_\_  
Gabriel Durand-Hollis, Mayor