

ORDINANCE NO. 1280

AN ORDINANCE AMENDING SECTIONS 58-192(h), 58-194, AND 58-196 OF CHAPTER 58, TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES OF THE CITY OF HILL COUNTRY VILLAGE, TEXAS TO REVISE PROVISIONS AS TO SEAT BELTS, TO ADD A PROVISION REGARDING DISPLAY OF LICENSE PLATES, AND TO REVISE PROVISIONS AS TO PERMIT FEES.

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, deemed 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 and adopted an ordinance regulating motorized carts in the City; and

WHEREAS, City staff has recommended that Section 58-192(h) be revised to set out specific provisions as to seat belts, that Section 58-194 be revised by adding a requirement that motorized carts display license plates, and that the fees listed in Section 58-196 be revised.

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.** Section 58-192(h) of Chapter 58 of the Code of Ordinances of the City of Hill Country Village, Texas is hereby be amended to read as follows:

(h) Seat belts. Each motorized cart shall have seatbelts for the number of people for whom factory seating is installed and provided.

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

**Section 3.** Section 58-194 of Chapter 58 of the Code of Ordinances of the City of Hill Country Village, Texas is hereby be amended by the addition of subsection 58-194 (m) to read as follows:

(m) Motorized carts must display license plates as prescribed by the Texas Department of Motor Vehicles in order to be legally operated in the City.

**Section 4.** Section 58-196 of Chapter 58 of the Code of Ordinances of the City of Hill Country Village is hereby amended to read as follows:

**Sec. 58-196. 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 calendar year with fees charged in accordance with the following chart:

1.

Month	Price for First-Time Permits
January	\$50
February	\$50
March	\$50
April	\$30
May	\$30
June	\$30
July	\$30
August	\$30
September	\$30
October	\$50 (Good through Dec. Following Year)
November	\$50 (Good through Dec. Following Year)
December	\$50 (Good through Dec. Following Year)

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.

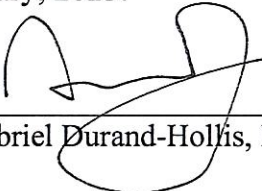
**Section 5.** This ordinance shall take effect one day after publication of this ordinance or of the caption of this ordinance in the official newspaper of the City of Hill Country Village and will remain in effect for a period of three years after the date of said publication. By ordinance adopted during said three 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 three years after the date of said publication.

**Section 6.** 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 the 19th day of January, 2023.

**ATTEST:**

  
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Frank Morales, City Administrator

  
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Gabriel Durand-Hollis, Mayor