

AN ORDINANCE

To permit the use of motorized carts on designated County roads, to establish conditions under which such carts may be operated, to provide for the posting of such roads, to limit the locations at which such carts may cross state highways and municipal streets, to identify designated state highway crossings, to provide hours of operation, to establish operating standards, to provide for the display of a slow-moving vehicle emblem on such carts, to provide for compliance with traffic regulations, to provide for punishment for violations, to provide an effective date, and for other purposes.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS:

Section 1. Purpose and Intent.

The purpose of this Ordinance is to allow the use of motorized carts on designated County roads subject to the provisions of this Ordinance and applicable laws and regulations of the State of Georgia. The provisions of this Ordinance are intended to protect and maintain the health and safety the citizens of Lowndes County and others using the roads of the County.

Section 2. Definitions.

As used in this Ordinance, the term:

- (a) "Board of Commissioners" means the Board of Commissioners of Lowndes County, Georgia.

(b) "Designated roads" means those roads identified and illustrated on the attached maps.

(c) "Motorized cart" means every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

Other terms used in this Ordinance and defined by O.C.G.A. § 40-1-1 shall have such meaning as stated in O.C.G.A. § 40-1-1.

Section 3. Designation of Roads.

Subject to the provisions of this Ordinance, the designated roads are designated for the use of motorized carts and regular vehicular traffic.

Section 4. Age and Driver's License Requirements.

Motorized carts may be operated on the designated roads only by persons at least 16 years of age who possess a valid license to operate a motor vehicle.

Section 5. Inapplicability.

The provisions of this Ordinance shall not apply to motorized carts owned by golf courses, country clubs, or other such entities which own such carts and make them available to members or the public on a rental basis, provided that such motorized carts are used only on the premises of such golf courses, country clubs, or other such organized entities.

Section 6. Posting of Roads.

The designated roads shall be posted with appropriate signs giving notice that such roads are designated for the use of motorized carts.

Section 7. Crossing State Highways and Municipal Streets.

(a) Motorized carts may cross highways that are part of the state highway system only at the crossings or intersections designated for that purpose by the Georgia Department of Transportation identified on the attached maps.

(b) Motorized carts may cross streets that are part of a municipal street system and used by other types of motor vehicles only at crossings or intersections designated for that purpose by the municipality having jurisdiction over such street system.

Section 8. Hours of Operation.

Motorized carts may be operated on designated roads in accordance with this Ordinance only during daylight hours.

Section 9. Operating Standards.

The number of persons occupying a motorized cart operated on the designated roads shall not exceed the designed seating capacity of the motorized cart.

Section 10. Slow-Moving Vehicle Emblem.

Motorized carts operated on the designated roads in accordance with this Ordinance must display a slow-moving vehicle emblem conforming with those standards and specifications adopted for slow-moving vehicles by the American Society of Agricultural Engineers in December, 1966, and contained within such society's standard ASAE S276.1, or shall be an emblem of the same shape and size painted on such cart in bright and conspicuous retroflective red orange paint. Such emblem shall be mounted on the rear of such carts, in the approximate horizontal geomantic center of the cart, at a height of three to five feet above the roadway, and shall be maintained at all times in a clean and reflective condition.

Section 11. Compliance with Traffic Regulations.

Operators of motorized carts on the designated roads shall comply with all laws and regulations of the State of Georgia applicable to such vehicles.

Section 12. Violations; Punishment.

(a) Any person operating a motorized cart in violation of any law or regulation of the State of Georgia applicable to such vehicles shall be subject to trial for such violation in any court having jurisdiction over such trials in accordance with laws generally applicable to such violations.

(b) Any person operating a motorized cart on the designated roads in violation of this Ordinance shall be subject to trial upon citation or accusation with or without a prosecuting attorney in any court having jurisdiction over trials for violations of county

ordinances and shall be subject to punishment as allowed by Georgia statute for violations of county ordinances.

Section 13. Repealer.

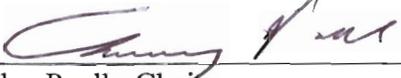
This Ordinance repeals and supersedes Ordinance No. 08-1460 adopted effective November 1, 2008.

Section 14. Effective Date.

This Ordinance shall be effective February 10, 2009.

IT IS SO ORDAINED, this 10th day of February, 2009

BOARD OF COMMISSIONERS OF
LOWNDES COUNTY, GEORGIA

By: 
Ashley Paulk, Chairman

Attest: 
K. Paige Dukes, Clerk

