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**Town of Carlton Landing**

**ORDINANCE NO. 2021-10-01**

**AN ORDINANCE REPLACING ORDINANCE #16 GOVERNING THE OPERATION OF GOLF CARTS; AND REPLACING ORDINANCE #7 RESTRICTING THE USE OF GAS POWERED RECREATIONAL VEHICLES WITHIN THE CORPORATE BOUNDARIES OF CARLTON LANDING, OK; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY**

**WHEREAS**, Oklahoma Statutes Title 47 Section 11-1116 authorizes the municipal governing body to regulate and control the operation of golf carts within the town boundaries and on its public streets; and

**WHEREAS,** the Board of Trustees of Carlton Landing, Oklahoma deems it to be in the best interests and safety of the citizens to regulate and control the operation of golf carts within the town’s legal boundaries and on its public streets; and

**WHEREAS,** the Board of Trustees of Carlton Landing, Oklahoma deems gas-powered recreational vehicles to be a public nuisance, unsafe, and hazardous to the environment, Oklahoma Statute Title 47 regulated gas-powered recreational vehicles should come under strict control:

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING, OKLAHOMA:**

**SECTION 1.** **Golf Carts**

 A. Definitions:

 1. A **golf cart** is defined as a motor vehicle powered by an **electric**  motor which is designed and manufactured for operation on a golf course (or a modification of such a vehicle) for recreational purposes and that is not capable of exceeding speeds of Fifteen (15) miles per hour. (Gas powered golf carts are prohibited in Carlton Landing, Oklahoma).

 2. Public road shall mean any thoroughfare within the Town of Carlton Landing including roads, streets, lanes, alleys, and pedestrian ways.

 B. Authority to Operate Golf Carts Within the Town of Carlton Landing:

 1. Golf carts meeting the definition above may be operated on all public roads, streets, and lanes within the town limits of Carlton Landing where the speed limit is twenty five (25) miles per hour or less.

 2. Golf carts should avoid construction areas when possible and prudent.

 3. Golf carts must not be driven on the sidewalks, pedestrian pathways or on the boardwalk.

 4. **Drivers of golf carts must be at least sixteen (16) years of age with a valid drivers' license.** The number of occupants of a golf cart must not exceed the number of seats in the cart. No person is to stand while the golf cart is in motion.

 5. Gas powered golf carts are prohibited in Carlton Landing, Oklahoma.

 C. Compliance with Traffic Laws:

 Golf carts shall comply with all applicable local and state traffic laws, and may be ticketed for traffic and parking violations in the same manner as motor vehicles.

 D. Parking:

 1. Golf carts must park in areas designated for golf carts and/or in areas where motor vehicle parking is allowed.

 2. Golf carts must **NOT** park on maintenance zones, on sidewalks, on other pedestrian pathways, nor on private property without the permission of the owner of said property.

 E. Equipment and Minimum Standards:

 All golf carts operated within the Town of Carlton Landing shall meet the minimum equipment standards established by the State of Oklahoma. All golf carts shall be equipped with a windshield, a rearview mirror, and taillights. In addition, golf carts operated between the hours before sunrise or after sunset must be equipped with headlights.

 F. Hours of Operation:

 Golf carts meeting the equipment standards established for operation before sunrise and after sunset may be operated anytime during the day or night. Golf carts that do not meet these standards shall be operated only during the hours between sunrise and sunset.

 G. Liability:

 Nothing in this section shall be construed as an assumption of liability by the Town of Carlton Landing for any injuries to persons, pets or property which may result from the operation of a golf 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 golf cart, both on personal and/or town or public properties. This described responsibility especially applies to personal injuries or property damage resulting from golf cart drivers who are minors under the age of 18 with or without a current and valid driver’s license.

H. Enforcement:

 The Town of Carlton Landing shall have the authority to enforce the provisions set forth herein including all applicable traffic laws.

**SECTION 2: Gas Powered Recreational Vehicles**

A. Definition: "Gas Powered Recreational Vehicle" shall mean any vehicle powered by an internal combustion engine, designed for recreational or sport purposes.

 B. No person shall operate a Gas Powered Recreational Vehicle within the Town Boundaries of Carlton Landing, Oklahoma.

**SECTION 3:**

All Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 4:**

The provisions of this ordinance are severable and if any part of provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions.

**PASSED** by the Board of Trustees of the Town of Carlton Landing, Oklahoma, on the 16th day of October, 2021.

This ordinance shall go into effect on the 23rd day of November, 2021.

SIGNED by the Mayor of the Town of Carlton Landing, Oklahoma, on the 16th day of October, 2021

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 Joanne Chinnici, Mayor Jan Summers, Town Clerk