



Nice Matters!

Town of Emerald Isle
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Mayor
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Board of Commissioners
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Steve Finch
Jim Normile
Maripat Wright

Town Manager
Frank A. Rush, Jr.
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ORDINANCE AMENDING CHAPTER 11 – TRANSPORTATION – OF THE CODE OF ORDINANCES TO ESTABLISH A MINIMUM RENTAL PERIOD FOR GOLF CARTS

WHEREAS, the Town's golf cart program has been in place since 2010, and

WHEREAS, the Town's golf cart program has been well-received by the community, and has enhanced the transportation opportunities available to Town residents and visitors, and

WHEREAS, golf cart sales and rentals have typically been provided for Town residents and visitors by businesses located outside of Emerald Isle, and transported to Emerald Isle for use by residents and visitors, and

WHEREAS, the Town was approached by several golf cart sales and rental businesses requesting permission to operate in Emerald Isle in order to provide greater visibility and convenience for customers, and

WHEREAS, the Board of Commissioners amended the Unified Development Ordinance (UDO) in order to add golf cart sales & rentals as a permitted use in the Business, Village East, Village West and Marina Village Zoning Districts, and

WHEREAS, the ability of golf cart sales and rental businesses to operate in Emerald Isle creates the potential for short-term rentals, perhaps more for entertainment purposes, that may increase the potential for irresponsible operation of golf carts, and

WHEREAS, the Town's golf cart program is intended for transportation purposes only, and the Town seeks to establish a minimum rental period to discourage short-term rentals,

NOW, THEREFORE, BE IT RESOLVED by the Emerald Isle Board of Commissioners that

1. **Chapter 11 - Transportation, Article IV – Golf Carts** of the Code of Ordinances is hereby amended to read as follows:

Sec. 11-44. - Registration and permit requirements.

- (a) No golf cart may be operated on any public street within the town or on any property owned or leased by the town unless the golf cart has first been registered with the town and permitted as required herein. The registration and permit shall be renewed annually thereafter in accordance with the provisions of this article.
- (b) The owner shall complete an application provided by the town and the golf cart shall be inspected by the town for compliance with the provisions of this article prior to the issuance of an annual permit for the golf cart. To evidence the registration, the owner shall be issued a unique license plate and annual registration decal which shall be displayed on the rear of the golf cart. The board of commissioners may establish, and amend from time to time, an annual registration fee for golf carts.
- (c) In order to register a golf cart and secure an annual permit, the owner and golf cart must meet the following basic requirements:
 - (1) The owner must be at least eighteen (18) years old and possess a valid drivers license,
 - (2) The owner must possess and maintain liability insurance in an amount not less than required by state law for traditional motor vehicles operated on public streets in the state,

- (3) The golf cart must not have been modified to exceed a speed of twenty (20) mph, and
- (4) The golf cart must have an identifiable identification number.
- (d) In order to register a golf cart and secure an annual permit, a golf cart must have the following safety features installed:
 - (1) Two (2) operating front headlights, visible from a distance of at least two hundred fifty (250) feet,
 - (2) Two (2) operating tail lights, with brake lights and turn signals, visible from a distance of at least two hundred fifty (250) feet,
 - (3) A rear vision mirror,
 - (4) At least one (1) reflector per side,
 - (5) A parking brake,
 - (6) Seat belts for all seating positions on the golf cart,
 - (7) A windshield, and
 - (8) Must be limited to a maximum of three (3) rows of seats.
- (e) Prior to the issuance of an initial permit or annual renewal, the town shall inspect the golf cart for compliance with the requirements of this article. No golf cart shall be registered and permitted unless it is in compliance with all requirements.
- (f) Prior to the issuance of an initial permit or annual renewal, the owner shall sign an acknowledgment that he/she has read and understands the provisions of this article.
- (g) All-terrain vehicles, 4-wheel utility vehicles, go-karts, and other similar utility vehicles which are not manufactured for operation on a golf course, and/or a golf cart which has been modified so that it no longer meets the definition of a golf cart may not be registered as a golf cart under this article nor shall such vehicles be operated on public streets within the town, unless such vehicles are registered and permitted under the motor vehicle laws of the state.
- (h) Golf carts registered to commercial establishments offering golf cart rentals shall be offered for transportation purposes only, and not offered for short-term entertainment purposes. Thus, all golf cart rentals shall have a minimum rental period of two (2) days.
- (i) The Town Manager shall have the authority to establish the maximum number of rental golf carts to be permitted annually.

- 2. The Town Clerk is authorized to amend the sections as set fort above.
- 3. This ordinance shall become effective immediately upon its adoption. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Adopted this the 12th day of April, 2016, by a vote of

Commissioner(s) Dooly, Finch, Messer, Normile, Wright voting for,

Commissioner(s) _____ voting against, and

Commissioner(s) _____ absent.

Eddie Barber
Eddie Barber, Mayor

ATTEST:

Rhonda Ferebee
Rhonda Ferebee, Town Clerk

