

**ORDINANCE 5 OF 2021**

AN ORDINANCE TO ADD SEC. 38-27, "GOLF CARTS OPERATED ON PUBLIC STREETS", TO THE CODE OF ORDINANCES OF THE TOWN OF HAUGHTON, CHAPTER 38, "TRAFFIC AND VEHICLES".

**WHEREAS**, Louisiana Revised Statutes 32:299.4, "Golf carts; safety equipment requirements; exemptions; registration" authorizes a municipal (or parish) government to regulate and issue permits for the operation of a "golf cart" as defined in the statute upon public roads or streets as may be designed by the municipality (or police jury) for such use subject to the requirements mandated by the statute; and

**WHEREAS**, the Bossier Parish Police Jury has adopted regulations for the use of golf carts under issued permits upon designated streets and roadways within the parish; and

**WHEREAS**, the Town Council of the Town of Haughton considers it to be in the interest of public safety to adopt regulations and issue permits for the operation of golf carts under issued permits upon designated streets of the Town of Haughton.

**NOW, THEREFORE, IT IS ORDAINED** by the Town Council of the Town of Haughton in regular and legal session, that Sec. 38-27, "Golf carts operated on public streets" is hereby added to the Code of Ordinances of the Town of Haughton, Chapter 38, "Traffic and Vehicles" to read as follows:

**Sec. 38-27. Golf carts operated on public streets.**

(a) Definitions

*Annual permit* means a permit issued by the Town of Haughton Police Department and expires on December 31<sup>st</sup> of each year.

*Golf cart* means an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour as defined by La. R.S. 299.4.A., as this definition hereafter may be amended but regardless of amendment with any such vehicle having a maximum speed exceeding twenty-five miles per hour being defined as a "motor vehicle" within the Town of Haughton and being subject to the full breadth of state and federal regulations.

*Haughton* means the Town of Haughton.

*Public street* means a public street or road of the Town of Haughton, but not a parish or federal road, street, or highway.

(b) Designated public streets

A golf cart otherwise meeting all regulations of this Section may be operated upon a public street of Haughton but limited only to those public streets having a speed limit of 25 miles per hour or less; otherwise such operation upon a public street of Haughton is prohibited. Operation of a golf cart upon a parish or federal road, street, or highway is prohibited, including the crossing of such parish or federal road, street, or highway to access public streets of Haughton upon which such operation is allowed.

(c) Safety requirements

In order to be operated on a designated public street of Haughton, any golf cart as defined herein shall meet the following safety requirements:

- (1) Be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices on both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps;
- (2) Be inspected annually by the Haughton Police Department to ensure that the golf cart complies with the requirements of La. R.S. 32:299.4 and this Section;
- (3) Be issued and display the annual permit for the golf cart as issued by the Town of Haughton. The annual permit fee under this subsection initially shall be five (\$5.00) dollars, but with such fee hereafter to be subject to amendment by Resolution adopted by the Town Council. Issuance of the annual permit shall be contingent upon the owner of the golf cart signing a release of all claims against the Town of Haughton for the operation of such vehicle under terms for such release of claims provided by the Town of Haughton;
- (4) Any golf cart operated upon a public street of Haughton shall have proof of liability insurance with the same minimum limits as required by the provisions of La. R.S. 32:900(B), currently \$15,000.00 because of bodily injury or death of one person in any one accident; and, subject to the limit for one person, \$30,000.00 because of bodily injury to or death of two or more persons in any one accident; and, \$25,000.00 because of damage to or destruction of property of others in any one accident. Documents reflecting a current policy of liability insurance as required herein shall be in the possession of the driver of the golf cart;

- (5) Any golf cart operated upon a public street of Haughton shall be registered with the State of Louisiana through the Department of Public Safety and Corrections, Office of Motor Vehicles, as an off-road vehicle and shall display a decal issued by the Office of Motor Vehicles;
- (6) No person shall operate a golf cart upon a public street of Haughton without a valid driver's license;
- (7) Any passenger riding on the golf cart shall be seated and the number of passengers shall not exceed the amount for which the golf cart was designed.

(d) Traffic regulations.

Any person operating a golf cart on a public street of Haughton under the provisions of this Section shall be subject to all traffic regulations of the State of Louisiana and any other applicable provisions of the Code of Ordinances pertaining to the operation of vehicles upon public streets or roads.

(e) Violation and penalties.

Whoever shall be found guilty of violating any provision of this Section shall, upon conviction, be punished pursuant to Appendix A, Traffic Offenses Fine Schedule, Sec. 7-1, Traffic Offenses, of the Code of Ordinances of the Town of Haughton, as such Section may be amended, however, punishment under such provision shall not exclude any additional criminal or civil penalties as provided by law.

(f) Severability

If any provision or a portion of a provision of this Section is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, such provision or portion shall be considered to be severable and the remaining provision or provisions of the ordinance shall not be invalidated.

Following introduction of the foregoing Ordinance at the Regular Meeting of the Town Council held on the 11 day of May 2021, upon motion by Doug Adams, duly seconded by Carlton Anderson, the foregoing Ordinance was adopted at the Regular Meeting of the Town Council held on this 8 day of June, 2021.

YEAS: 5

NAYS:

ABSENT:

ABSTAIN:

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Misty Pee, Town Clerk

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K. D. Gaspard, Mayor