
ORDINANCE NO. 112

AN ORDINANCE SETTING THE REGULATIONS AND STANDARDS FOR MOTORIZED CARTS DRIVEN IN THE TOWN LIMITS OF THE TOWN OF INDIAN LAKE, TEXAS.

- (A) The following words, terms and phrases when used in this Section, shall have the meanings ascribed to them in this Section except where the context clearly indicates a different meaning:

Driver means the person driving and having physical control over the motorized cart.

Motorized cart means those electric and gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four (4) wheels and which have an attainable top speed not greater than twenty-five (25) miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles. Included in this definition are those motorized conveyances commonly referred to as ATVs, four-wheelers, mules, scooter, moped, motorized bicycle, electric wheelchair, and gators.

Owner means the person holding title to the motorized cart or the person registering the motorized cart.

Parking area means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

Street means the public roadways of the Town of Indian Lake by whatever name (e.g., road, alley, avenue, highway, route, boulevard, etc.) that:

- (1) Has a posted speed limit of thirty (30) miles per hour or less; or
 - (2) Provides for no more than two (2) lanes of vehicular traffic per direction.
- (B) Electric and gasoline motorized cart required equipment. Every motorized cart must be equipped as mandated by the Texas Transportation Code, Section 551.404(a) and/or required by the Town of Indian Lake the following:
- (1) Operational headlamps;
 - (2) Operational tail lamps;
 - (3) Side reflectors;
 - (4) Operational parking brake; and
 - (5) Rearview mirror(s).
 - (6) A reflective triangle shaped slow-moving sign attached and facing to the rear;
 - (7) Owners of motorized cart must carry valid liability insurance for said cart in the minimum amount required by State law for the operators of a motor vehicle or the driver must carry proof that he/she has such liability insurance.
 - (8) Drivers of motorized golf cart must carry a valid driver's license.
 - (9) Be permitted thru the Town and display a current (annual) sticker permit or license plate at the cost of \$50 per cart (annual fee) and a \$25 replacement fee.
 - (10) Seatbelts for all passengers or occupants.
- (C) Gasoline carts. Every motorized cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in constant operation and meeting the following specifications:
- (1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.

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- (2) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems.
 - (3) The engine and powered mechanism of every motorized cart shall be so equipped, adjusted and tuned so that the exhaust is the amount of a motorized cart in good working order.
 - (4) It shall be unlawful for the owner of any motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions which is placed on a cart by the manufacturer is rendered unserviceable by removal, alteration or which interferes with its operation.
- (D) Operation regulations.
- (1) All drivers of motorized carts shall hold a valid Texas driver's license and shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and parking areas of the Town.
 - (2) Motorized carts shall not be operated on sidewalks at any time.
 - (3) All motorized carts are entitled to a full use of a lane on the authorized streets and parking areas of the Town and no motor vehicle shall be driven in such a manner as to deprive any motorized cart of the full use of a lane.
 - (4) The driver of a motorized cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
 - (5) No driver shall operate a motorized cart between lanes of traffic or between adjacent lines of rows of vehicles.
 - (6) The occupancy of the motorized cart may not exceed the manufactures maximum rating for number of passengers or occupants.
 - (7) Motorized carts may only be operated on streets that have a posted speed limit of thirty (30) miles per hour or less.
 - (8) Except as provided in section (8)(b), no Motorized cart shall contain any sound-emitting devices which are not part of the customary motorized operation, arising out of the engine, of the cart.
 - (a) No Motorized cart shall contain any sound device that emits noise above 85db, including but not limited to stereo systems, blue tooth capabilities, radios, boom boxes, amplifiers, or speakers. This includes stand-alone sound systems or systems which are accessible from private devices, such as blue tooth or direct USB or other wiring connections.
 - (b) This prohibition against sound-emitting devices does not include horns or other signaling devices required by law and when used as a danger warning arising out of the vehicle operation.
- (E) Liability. Nothing in this Section shall be construed as an assumption of liability by the Town of Indian Lake for any injuries to persons, pets or property which may result from the operation of a motorized 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 motorized cart, both on personal and/or Town and public properties. This described liability responsibility especially applies to personal injuries or property damage resulting from motorized cart drivers who are minors under the age of twenty-one (21) with or without a current and valid Texas drivers license.
- (F) Penalties. Any person who violates the terms of this Section shall be penalized by a fine of not more than \$500.