

City of Ocean Springs

ORDINANCE NO. 2018-10

AN AMENDMENT TO THE CODE OF ORDINANCES FOR THE CITY OF OCEAN SPRINGS, MISSISSIPPI AMENDING CHAPTER 14 TO ALLOW GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN ROADS

WHEREAS, the Mississippi Legislature passed House Bill 1655 during the 2018 regular session. *See* Exhibit "A" attached hereto; and

WHEREAS, House Bill 1655 allows the legal use of golf carts and low-speed vehicles on selected public roads and streets within the City of Ocean Springs as long as certain requirements are met; and

WHEREAS, the City of Ocean Springs desires to authorize lawful operation of golf carts and low-speed vehicles on selected public roads and streets within city limits.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Ocean Springs as follows:

SECTION I

Article V entitled "Golf Carts and Low-Speed Vehicles" shall be added to Chapter 14 of the Code of Ordinances, with the first section contained thereunder to be identified as Section 14-125.

SECTION II

Section 14-125 shall be added to the Code of Ordinances and shall read as follows:

14-125. – Definitions

The following term and phrase, when used in this chapter, shall have the meaning ascribed to it in this section, except where the context clearly indicates a different meaning

(a) *"City" means the City of Ocean Springs, Mississippi.*

(b) *"Governing authorities" means the Mayor and Board of Aldermen of the City of Ocean Springs Mississippi.*

(c) *"Golf cart" means a motor vehicle that is designated and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty-five (25) miles per hour*

and is equipped with a parking brake, head lamps, tail lamps, seat belts, and front and rear turn signals

(d) "Low-speed vehicle" means any four-wheeled electric or gasoline powered vehicle that has a top speed greater than twenty (20) miles per hour but less than twenty-five (25) miles per hour and is equipped with safety equipment as required under 49 CFR Section 571.500.

SECTION III

Section 14-126 shall be added to the Code of Ordinances and shall read as follows:

14-126. – Permissible Operation

(a) Golf carts and/or low-speed vehicles may be operated on all City streets and roads where the posted speed limit does not exceed thirty (30) miles per hour.

(b) Any person operating a golf cart or low-speed vehicle on the public roads and streets must have in his or her possession a valid driver's license or temporary driver's permit and proof of financial responsibility as required under Section 63-15-1 et seq., Mississippi Code of 1972.

(c) Golf carts and low speed vehicles may not be operated on interstate highways or highways as designated by the comprehensive plan of the City except for the crossing of these streets, in which case the shortest traveling distance to do so shall be required. Drivers are required to operate golf carts and low speed vehicles only in the outside lane of multi-lane streets and roads, when applicable.

(d) Drivers of golf carts and/or low-speed vehicles are required to operate said vehicles in the outside lane of multi-lane streets and roads, where applicable.

(e) Operation of golf carts and/or low-speed vehicles is subject to all other applicable laws of the State of Mississippi and Ocean Springs related to traffic and parking, along with corresponding penalties, not specifically addressed herein.

SECTION IV

Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION V

It is hereby declared to be the intention of the Board of Aldermen that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

SECTION VI

This Ordinance shall take effect in the manner prescribed by law.

SECTION VII

That upon adoption, the City Clerk shall cause this Ordinance to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi, and published in the manner prescribed by law.

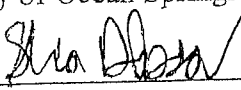
SECTION VIII

The provisions of this Ordinance may be included and incorporated in the Code of Ordinances of the City of Ocean Springs, Mississippi, as an addition thereto, and appropriately renumbered to conform to the uniform numbering system of the Code.

The above Ordinance having been first reduced to writing, the vote was as follows:

Alderman Gill	<u>Absent</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Papania	<u>Nay</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Nay</u>
Alderman Cox	<u>Aye</u>

BY THE ORDER OF THE MAYOR AND BOARD OF ALDERMAN of the City of Ocean Springs, Mississippi, on this the 1st day of May, 2018.



MAYOR

CITY CLERK

By: Representatives Guice, Zuber, Read

To: Local and Private
Legislation

HOUSE BILL NO. 1655

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF
2 OCEAN SPRINGS, MISSISSIPPI, TO ALLOW THE OPERATION OF GOLF CARTS
3 AND LOW SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN
4 THE CITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW
5 SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY
6 DRIVER'S PERMIT; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. As used in this act, unless a different meaning
9 clearly appears in the context, the following terms shall have the
10 following meanings:

11 (a) "City" means the City of Ocean Springs,
12 Mississippi.

13 (b) "Governing authorities" means the Board of Aldermen
14 of the City of Ocean Springs, Mississippi.

15 (c) "Golf cart" means a motor vehicle that is
16 designated and manufactured for operation on a golf course for
17 sporting or recreational purposes and that is not capable of
18 exceeding speeds of twenty-five (25) miles per hour and is
19 equipped with a parking brake, head lamps, tail lamps, seat belts,
20 and front and rear turn signals.

21 (d) "Low-speed vehicle" means any four-wheeled electric
22 or gasoline powered vehicle that has a top speed greater than
23 twenty (20) miles per hour but less than twenty-five (25) miles
24 per hour and is equipped with safety equipment as required under
25 49 CFR Section 571.500.

26 **SECTION 2.** (1) The governing authorities of the City of
27 Ocean Springs, Mississippi, may, in their discretion, authorize
28 the operation of golf carts and/or low speed vehicles only on
29 public roads and streets as designated by ordinance, within the
30 city limits of the City of Ocean Springs, Mississippi. Such
31 authorization must be embodied in an ordinance and recorded on the
32 minutes of the board of aldermen. Such authorization may be
33 accompanied by conditions not inconsistent with this act and may
34 be revoked, in whole or in part, by the governing authorities at
35 any time.

36 (2) Any person operating a golf cart or low speed vehicle on
37 the public roads and streets under this act must have in his or
38 her possession a valid driver's license or temporary driver's
39 permit and proof of financial responsibility as required under
40 Section 63-15-1 et seq., Mississippi Code of 1972.

41 (3) Golf carts and low speed vehicles may not be operated on
42 interstate highways or highways as designated by the comprehensive
43 plan of the city except for the crossing of these streets, in
44 which case the shortest traveling distance to do so shall be
45 required. Drivers are required to operate golf carts and low

46 speed vehicles only in the outside lane of multi-lane streets and
47 roads, when applicable.

48 **SECTION 3.** The governing authorities may, pursuant to
49 ordinance, require registration of golf carts and/or low speed
50 vehicles with costs to be determined.

51 **SECTION 4.** This act shall take effect and be in force from
52 and after its passage.