

AN ORDINANCE AMENDING PART 3 (GOLF CARTS) OF CHAPTER 250 (TRAFFIC) OF THE SEMINOLE COUNTY CODE BY CREATING ARTICLE III (ENGLISH ESTATES AND ENGLISH WOODS GOLF CART ORDINANCE) TO ESTABLISH A DESIGNATED COUNTY FACILITY IN ACCORDANCE WITH SECTION 34.30 (USE OF GOLF CARTS ON DESIGNATED COUNTY FACILITIES) OF THE SEMINOLE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR STANDARDS AND DESIGNATION OF COUNTY ROADWAY FOR GOLF CART USE; PROVIDING FOR GOLF CART OPERATIONS AND REGULATIONS; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 316.212(8)(a), Florida Statutes (2020), allows a county to enact restrictions and regulations regarding Golf Cart operations that are more restrictive than those contained in the Florida Statutes; and

WHEREAS, this statute provides that the County, in enacting such a restrictive ordinance, must post appropriate signs or otherwise inform residents that the regulation and enforcement of Golf Cart operation in the designated area will be in accordance with a stricter local ordinance; and

WHEREAS, Section 316.212(1), Florida Statutes (2020), expressly allows the County to designate a county road for use by golf carts; and

WHEREAS, prior to making such a designation, the County must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street; and

WHEREAS, upon a determination that golf carts may be safely operated on a designated road or street, the County will post appropriate signs to indicate that such operation is allowed ; and



WHEREAS, a determination by the Board of County Commissioners that Golf Carts may safely travel upon or cross a County Road, that a Golf Cart may be operated during the hours between sunset and sunrise, or that Golf Carts may be operated on Sidewalks or Grass Areas adjacent to specific segments of County Roads is a discretionary, planning-level and policy-level determination.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Incorporation of Recitals. The above recitals represent the legislative findings of the Seminole County Board of County Commissioners supporting the need for this Ordinance.

Section 2. Article III (English Estates and English Woods Golf Cart Ordinance) of Part 3 (Golf Carts) of Chapter 250 (Traffic) of the Seminole County Code is hereby created to read as follows:

ARTICLE III. - ENGLISH ESTATES AND ENGLISH WOODS

GOLF CART ORDINANCE

Sec. 250.250. Designated County Facility. The roadways listed below are hereby approved as a Designated County Facility for the use of Golf Carts.

<u>Roadway</u>	<u>From</u>	<u>To</u>
<u>Cambridge Rd</u>	<u>Derbyshire Rd</u>	<u>Falmouth Rd</u>
<u>Carolton Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Castlewood Rd</u>	<u>Fieldingwood Rd</u>	<u>Winston Rd</u>
<u>Cheshire Rd</u>	<u>Derbyshire Rd</u>	<u>Falmouth Rd</u>
<u>Dakota Tr</u>	<u>Doverwood Rd</u>	<u>140 feet east of Yarmouth Rd</u>
<u>Doverwood Rd</u>	<u>Fieldingwood Rd</u>	<u>Graham Rd</u>
<u>Falmouth Rd</u>	<u>Glastonberry Rd</u>	<u>Stratford Rd</u>
<u>Falmouth Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Fieldingwood Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Glastonberry Rd</u>	<u>Derbyshire Rd</u>	<u>Hunterfield Rd</u>
<u>Hunterfield Rd</u>	<u>Glastonberry Rd</u>	<u>Oxford Rd</u>
<u>Hunterfield Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Manchester Rd</u>	<u>Derbyshire Rd</u>	<u>Worthington Rd</u>
<u>Markingham Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Oxford Rd</u>	<u>Hunterfield Rd (east side)</u>	<u>Hunterfield Rd (west side)</u>
<u>Sidcup Rd</u>	<u>Derbyshire Rd</u>	<u>Falmouth Rd</u>
<u>Stratford Rd</u>	<u>Derbyshire Rd</u>	<u>Hunterfield Rd</u>
<u>Sunderland Rd</u>	<u>Glastonberry Rd</u>	<u>Stratford Rd</u>
<u>Sunderland Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Winston Road</u>	<u>Derbyshire Rd</u>	<u>Fieldingwood Rd</u>
<u>Worthington Rd</u>	<u>Oxford Rd</u>	<u>Winston Rd</u>
<u>Yarmouth Rd</u>	<u>Dakota Tr</u>	<u>Doverwood Rd</u>

Sec. 250.251. Licensed Drivers. All Golf Cart Operators on this Designated County Facility must possess a valid driver license.

Sec. 250.252. Oxford Road Crossing. A Golf Cart crossing of Oxford Road is allowed at the offset intersection with Hunterfield Road. Signage will be provided informing drivers of the Golf Cart crossing along with appropriate pavement markings.

Sec. 250.253. Speed Limit. Golf Carts operating on this Designated County Facility are restricted to a maximum speed of fifteen (15) miles per hour.

Sec. 250.254. Golf Cart Operation and Equipment.

(a) The operation of a Golf Cart upon any County Facility is prohibited, except upon a Designated County Facility that has been marked with appropriate signs and pavement markings by the County Engineer.

(b) Golf Carts operating within Seminole County must meet minimum equipment standards, as set forth in controlling law, including efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(c) All traffic control signs, signals, pavement markings, and controlling law for such crossings must be obeyed while crossing at intersections and it is prohibited and unlawful to fail to obey such signs, signals, pavement markings, and laws.

(d) Golf Carts operating on a Designated County Facility must be equipped with a horn or other warning device as specified in Section 316.271, Florida Statutes (2020), as this statute may be amended from time to time.

(e) Consistent with Section 316.613, Florida Statutes (2020), as this statute may be amended from time to time, children aged five (5) years and younger must be restrained in a properly attached and separate federally approved child restraint device. For children aged four (4) through five (5) years, a properly attached child booster seat may be used. Additionally, for children aged four (4) through five (5) years, a safety belt may be used in lieu of the child restraint device if the child is being transported gratuitously by an Operator who is not a member of the child's immediate family; is being transported in a medical emergency situation involving the

child; or has a medical condition that necessitates an exception as evidenced by appropriate documentation from a health care professional.

(f) No Golf Cart may be operated in a reckless or careless manner upon any Designated County Facility.

(g) A Golf Cart may be operated on a Designated County Facility only between sunrise and sunset.

(h) Any person operating a Golf Cart upon a Designated County Facility must yield the right-of-way, slowing down or stopping, if necessary, to a pedestrian or bicycle upon the Designated County Facility.

(i) In addition to the above provisions, Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, applies as set forth in the provisions of this statute.

Sec. 250.255 Penalties and Enforcement.

(a) Violations of this Chapter 250, Part 3, Article III of the Seminole County Code concerning golf carts on the Designated County Facility constitute a non-criminal infraction enforceable pursuant to the provisions of Section 316.212(9), Florida Statutes (2020), as this statute may be amended from time to time. The use of a Golf Cart on this Designated County Facility resulting in violations of the Florida “Uniform Traffic Control” statute and the Florida “Uniform Disposition of Traffic Infractions Act” are enforceable according to Chapters 316 and 318, Florida Statutes (2020), as these statutes may be amended from time to time. All other Seminole County ordinances pertaining to the use of motor vehicles are also applicable to the operation of Golf Carts on this Designated County Facility. Seminole County may enforce the provisions of this Code in any way authorized in accordance with controlling law and may seek any legal remedy as may be authorized by controlling law.

(b) Under certain circumstances, it is a violation of state law for a person to refuse to take action at the time a citation is issued. Seminole County may enforce those laws and pursue statutory violations in accordance with controlling Florida law.

(c) The enforcement provisions of this Section are supplemental in nature and are not intended to prohibit the County from seeking any remedy available at law or equity.

Section 3. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made a part of the Seminole County Code, and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, except that Sections 1, 3, 4 and 5 of this Ordinance are not to be codified.

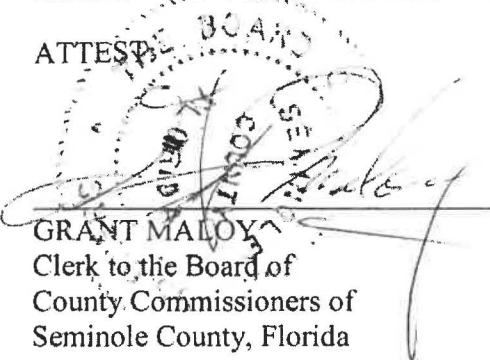
Section 4. Severability. If any provision or application of this Ordinance to any person or circumstance is held invalid, then it is the intent of the Board of County Commissioners that such invalidity will not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 5. Effective date. This Ordinance will take effect thirty (30) days after the filing of a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this

27 day of April, 2021.

ATTEST



GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA



LEE CONSTANTINE, Chairman

DGS/sjs
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