

TOWN OF EDISTO BEACH

AN ORDINANCE

To Amend Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach, entitled "Golf Carts."

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled, that Article III of Chapter 78 of the Town's Code of Ordinances is amended to read as follows:

CHAPTER 78 TRAFFIC AND VEHICLES

ARTICLE III. Golf Carts

Sec. 78-50 GOLF CARTS ALLOWED ON CERTAIN STREETS.

Golf carts, as defined below, are permitted to be driven on most streets in the town subject to the provisions of this article.

Sec. 78-51 DEFINITIONS.

For the purpose of this article the following definition shall apply unless the context clearly indicates or requires a different meaning.

"Golf cart" - Four-wheeled vehicle that is built to specific federal standards by licensed manufacturers and can achieve speeds of no greater than 20 miles per hour. Golf carts do not include all-terrain vehicles, farm vehicles, low speed vehicles, or any vehicle, including modified golf carts, which can obtain a top speed greater than 20 miles per hour.

Sec. 78-52 RULES GOVERNING THE OPERATION OF GOLF CARTS.

- (A) During daylight hours only, a permitted golf cart may be operated within four miles of the address on the SCDMV registration certificate, and only on a secondary highway or street for which the posted speed limit is 35 miles per hour or less. (See S.C. Code § 56-2-105(C).)
- (B) Golf carts may cross Palmetto Boulevard, but shall not drive on Palmetto Boulevard. (See S.C. Code § 56-2-105(C).)

- (C) A person operating a golf cart must be at least 16 years of age and hold a valid driver's license. The operator of a permitted golf cart being operated on a highway or street must have in his or her possession:
- a. The SCDMV registration certificate issued by the State of South Carolina;
 - b. Proof of liability insurance for the golf cart; and
 - c. His or her driver's license. (See S.C. Code § 56-2-105(C).)
- (D) Golf carts shall not be operated at any time when windshield wipers are in use as a result of rain, sleet or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of 500 feet ahead. (S.C. Code §§ 56-5-5000).
- (E) Golf carts shall only operate during daylight hours. "Daylight hours" means after six o'clock a.m. and no later than six o'clock p.m. However, beginning on the day that daylight saving time goes into effect through the day that daylight saving time ends, "daylight hours" means after six o'clock a.m. and no later than eight o'clock p.m. All other hours are designated as nighttime hours. (S.C. Code §56-1-10(27)); (S.C. Code § 56-2-105.)
- (F) A golf cart shall be equipped with a rear vision mirror.
- (G) The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart, and no part of the body of the operator or any occupant shall extend outside the perimeter of the golf cart while it is in motion.
- (H) The operator of a golf cart shall use hand signals when turning or stopping unless the golf cart is equipped with turn signals.
- (I) Golf carts are subject to all traffic rules and regulations and parking laws governing the operation of motor vehicles.
- (J) Golf carts shall not be operated on private property without the permission and consent of the property owner.
- (K) The provisions of this article that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties. (S.C. Code § 56-2-105(G))

Sec. 78-53 SCDMV DECAL AND INSURANCE REQUIREMENTS.

Golf carts, whether owned or rented, shall have:

- (A) A current decal from the South Carolina Department of Motor Vehicles that is displayed in a clearly visible place on the golf cart;
- (B) Current liability insurance in an amount not less than required by state law for motor vehicles operated on public highways. (SC Code 56-2-105)

Sec. 78-54 TOWN GOLF CART DECALS.

- (A) Application for a town decal shall be made to Town Hall before a golf cart may be parked on a street, right-of-way, or other public property in the town. The decals shall be valid for three years and shall expire on December 31 of the year punched on the decal. The decal shall be displayed on the front of the golf cart. There is no fee for the decal.
- (B) The following must be presented to the town to obtain or renew a decal:
 - (1) Proof of registration with the South Carolina Department of Motor Vehicles;
 - (2) Proof of ownership or long-term lease of the property listed on the state registration. "Long term lease" means a lease of six months or longer. All other leases are short term. Short term renters will not be issued a Town registration; and
 - (3) A certification that the golf cart has a rear-view mirror and is otherwise in safe operating condition; and
 - (4) A certification:
 - (a) that the owner has read this article or a town-prepared document that explains the laws related to golf carts; and
 - (b) that the owner will not allow anyone to operate the golf cart until that person has also reviewed the rules.
- (C) A lost or stolen decal may be replaced upon payment of a fee of \$10 and the execution of a sworn statement that the decal was lost or stolen. No decal shall be replaced more than once in any calendar year.

(D) It shall be unlawful for a golf cart to be parked on a street, right-of-way, or other public property without a valid town golf cart decal. Any person who violates or fails to comply with the parking provisions of this section shall be fined \$25.00 for each offense, provided the fine is paid within 15 calendar days of the date of the citation. The fine shall then be increased to \$50.00 for each offense on the 16th calendar day after the date of the citation. Failure to pay the fine by the 30th day after the date of the citation shall result in the issuance of a summons for court appearance with the fine to be in the discretion of the court but not to exceed \$100.00 for each offense. The Police Department or anyone who has been approved by the Police Department shall be authorized to issue a parking citation and to impound or immobilize the vehicle. (See S.C. Code § 56-5-710(A)(1).)

(E) The Town decal requirement is for identification purposes. The issuance of a Town decal does not and shall not act as authorization from the Town to the operator to operate the golf cart within the Town limits. The operator and owner must comply with all applicable state and municipal laws related to operation of a golf cart.

Sec. 78-55 RENTAL OF GOLF CARTS.

(A) A business that rents golf carts shall have all licenses required by law.

(B) All sections in this article shall apply to rented golf carts.

(C) Each rented golf cart shall have the rental company's name affixed to the cart in such a manner as to be clearly visible.

(D) A company that rents golf carts shall rent only to an individual who:

(1) Is at least 18 years old;

(2) Has a valid driver's license; and

(3) Signs a certification that all persons who will operate the golf cart have read or will read this article or a town-prepared document that explains the laws related to golf carts.

(E) Golf cart rental companies shall keep copies of all rental contracts, certifications, and the renters' drivers' licenses for a least three years.

(F) All golf cart rental companies shall have a local contact who can physically respond to the site within 30 minutes in case of emergency or other need by the town.

(G) All rented golf carts must display a label in plain sight of the operator with the following content:

(1) Operate during daylight hours only;

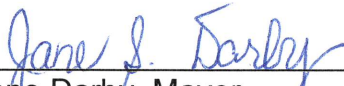
(2) Do not drive on Palmetto Boulevard, can cross Palmetto Boulevard;

- (3) Must be at least 16 years of age and follow the rental company age requirements, with a valid driver's license;
- (4) Must use hand signals when turning and stopping;
- (5) Subject to all traffic and parking laws; and
- (6) Occupants not to exceed number of seats.


Sec. 78-56 VIOLATION; MISDEMEANOR.

Violation of any of the provisions of Article III of Chapter 78 for which another penalty is not provided shall constitute a misdemeanor and be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

This ordinance shall take effect upon adoption.



Jane Darby, Mayor



Deborah Hargis, Municipal Clerk

First Reading: 04/11/2019
Second Reading: 05/09/2019

Approved as to form: 