

CITY OF LYNN HAVEN, FLORIDA

ORDINANCE NO. 1156

AN ORDINANCE OF THE CITY OF LYNN HAVEN, FLORIDA, AMENDING SECTION 66-6 OF THE CITY'S CODE OF ORDINANCES REGARDING GOLF CART OPERATION; AMENDING OPERATIONAL REQUIREMENTS FOR GOLF CARTS OPERATING ON STREETS WITHIN THE CITY; REPEALING PROVISIONS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the 2023 Florida Legislature amended Section 316.212, Florida Statutes, to provide that a golf cart may not be operated on public roads or streets by a person who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license nor by a person who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification; and

WHEREAS, the City Commission desires to amend the Lynn Haven Code of Ordinances to continue to comply with Florida Statutes.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN, FLORIDA:

SECTION 1. Section 66-6 – *Golf Cart Operation* of Chapter 66 – *Traffic and Vehicles* of the City of Lynn Haven Code of Ordinances is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 66-6. Golf cart operation.

- (a) *Use permitted in limited access subdivisions.* Golf carts are permitted to operate within and upon city streets within the limited access subdivisions as established by resolution of the city commission and enumerated in appendix D of this Code.
- (b) *Use permitted on city streets with a posted speed limit of 25 miles per hour or lower.* Golf carts are permitted to operate on city streets with a posted speed limit of 25 miles per hour or lower unless such street is exempted by resolution of the city commission and enumerated in appendix D of this Code.
- (c) *Prohibited streets.* Golf carts may not operate upon any city, county, or state street within the City of Lynn Haven unless permitted by section 66-6(a) or (b). Golf carts shall not be permitted to travel along or cross any state highway or county road in the city unless such use is authorized by resolution of the Bay County Board of County Commissioners or the Florida Department of Transportation, and such road is marked with official signage.
- (d) *Operational requirements.* It shall be unlawful to operate a golf cart on any street within the city unless:
 - (1) The operator holds a valid, current driver's license, or, if the operator is under the age of 16, a person who possesses a valid, current driver's license must be a passenger in the golf cart. Under no circumstances may any person under the age of 14 operate a golf cart on any public road in the city. **is a person who is under 18 years of age possessing a valid learner's driver license or valid driver license**

or is a person who is 18 years of age or older possessing a valid form of government-issued photographic identification.

- (2) The golf cart is operated between the hours of sunrise and sunset, provided that a golf cart equipped with integrated headlights, brake lights, turn signals, and a windshield may operate at any time;
 - (3) The golf cart is operated in accordance with State or City traffic regulations;
 - (4) Such operation does not obstruct or interfere with normal traffic flow;
 - (5) The golf cart carries no more passengers than the number for which the golf cart was designed to carry; and
 - (6) The golf cart is installed with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices on both the front and rear.
- (e) *Penalty.* A violation of section 66-6(b) or section 66-6(c), above, is a noncriminal traffic infraction, punishable pursuant to F.S. Ch. 318, or the general penalty provided by the Lynn Haven Code.

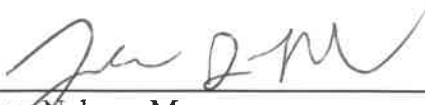
SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict. If any phrase, clause, sentence, paragraph, section, or subsection of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.

SECTION 3. It is the intention of the Commission that the provisions of this Ordinance shall become a part of the City's Code of Ordinances. The provisions of this Ordinance may be renumbered or re-lettered with cross-references corrected and the word "ordinance" may be changed to "section," "article", "division" or other appropriate word to accomplish such intention.

SECTION 4. This Ordinance shall take effect October 1, 2023.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Lynn Haven, Florida, this 8th day of August, 2023.

CITY OF LYNN HAVEN, FLORIDA



Jesse Nelson, Mayor

ATTEST:



Vickie Gainer, City Manager-Clerk

First reading: 7/25/23
Second reading: 8/8/23