

TOWN OF ST. LEO, FLORIDA  
ORDINANCE NO. 19 - 11

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA, AMENDING THE CODE OF ORDINANCES TO ADD ARTICLE V, SECTION 38-91 TO CHAPTER 38 (TRAFFIC AND VEHICLES) OF THE CODE OF ORDINANCES TO REGULATE THE USE OF GOLF CARTS ON TOWN STREETS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the Town of St. Leo has the authority to regulate the use of Town streets pursuant to its police powers; and

WHEREAS, the Town Commission has determined that it is in the best interests of the residents of St. Leo and motorists using Town streets to regulate the use of golf carts on Town streets and to establish clear rules and regulations for their use; and

WHEREAS, Article VIII, Section 2, of the Florida Constitution and Section 166.021(1), Florida Statutes, provide that a municipality may exercise any power for municipal purposes except when expressly prohibited by law.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of St. Leo, Florida, as follows:

SECTION 1. Findings of Fact: The above "whereas" clauses are adopted herein as findings of fact.

SECTION 2. New Provision Added to Code. The Code of Ordinances is amended by adding the following provision as Article V, Section 38-91:

ARTICLE V. GOLF CARTS.

Sec. 38-91. The operation of a golf cart shall be permitted on the streets of the Town subject to the following restrictions:

- (1) Golf carts may be operated on any Town street with a designated speed limit of 25 miles per hour or less.
- (2) A driver of a golf cart may cross a state route or a county highway as provided in Section 316.212 of the Florida Statutes, as amended.
- (3) A driver of and passengers riding in a golf cart shall comply with all provisions of Section 316.212 of the Florida Statutes, as amended, and any other state statute regulating the use and operation of a golf cart on a public highway or street.
- (4) A driver of and passengers riding in a golf cart shall wear a seat belt when the golf cart is being operated on a Town street.

- (5) Children under the age of 4 shall be in a federally approved safety seat or child restraint device when riding in a golf cart. Children of the ages of 4 and 5 shall be in either a federally approved safety seat, a child restraint device, or a booster seat. All other children shall wear a seat belt when the golf cart is being operated as required by subsection (4).
- (6) The term "golf cart" as used in this Article shall be defined as set forth in Section 320.01 of the Florida Statutes, as amended.
- (7) Any violation of this Article shall be subject to a penalty as set forth in Section 1-10 of this Code.

SECTION 3. Conflicts. Any section in the Town's Code of Ordinances that conflicts with the provisions of this Ordinance are hereby superseded by this Ordinance.

SECTION 4. Severability. If any word, provision, clause, or other part of this Ordinance is deemed unconstitutional or unenforceable for any reason, such provision shall be severed from this Ordinance, and the remaining portions of the Ordinance shall be unaffected thereby.

SECTION 5. Effective Date. This Ordinance shall be effective upon adoption by the Town Commission and approval by the Mayor in accordance with the Charter of the Town of St. Leo.

PASSED AND APPROVED in Regular Session by the Town Commission of the Town of St. Leo, Florida, this 10th day of June, 2019.

TOWN OF ST. LEO:



Richard H. Christmas, Mayor

ATTEST:



Andrea Calvert, CMC, Town Clerk



Approved as to form by:



Patricia A. Petruff, Town Attorney