

ARTICLE III. - GOLF CARTS³

Footnotes:

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Editor's note—Prior to its reenactment by Ord. No. 98-23, §§ 1—8, adopted April 28, 1998, Art. III, §§ 106-71—106-74, was repealed by Ord. No. 93-29, § 9, adopted Dec. 7, 1993 which provided for a sunset repeal effective Dec. 31, 1996. The former Art. III pertained to surcharge on moving traffic violations and derived from Ord. No. 93-29, §§ 1—4.

Sec. 106-71. - Legislative intent.

It is the intent of this article to permit and regulate the use of golf carts upon the roads of the unincorporated areas of the county.

(Ord. No. 98-23, § 1, 4-21-98)

Sec. 106-72. - Definitions.

All terrain vehicles/off-road vehicles (ATVs) shall mean those vehicles defined by F.S. § 316.2074 (1997), as may be amended from time to time.

Bicycle path shall mean any road, path, or way that is open to bicycle travel, which road, path or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way.

County manager shall mean the individual appointed by the board of county commissioners pursuant to section 2.9 of the Home Rule Charter for Brevard County to serve as county manager.

Designated streets or designated roads shall mean all streets or roads or portions of roads or streets upon which golf carts shall be allowed to operate, under the conditions as provided for herein, which are listed in Attachment A, attached and incorporated herein by reference.

Golf cart shall mean a motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes (reference F.S. § 316.003(68) (1997)). "Golf cart" shall not be construed to mean neighborhood electric vehicle.

Neighborhood electric vehicle (NEV) shall mean a self-propelled electrically powered motor vehicle which is emission free, designed to be operated at a maximum speed of 25 miles per hour, has at least four wheels in contact with the ground, has an unloaded weight of less than 1,800 pounds, is equipped with efficient brakes, headlights, brake lights, turn signals, windshield, rearview mirrors, and three-point safety belts.

Trail(s) shall mean a paved path, at least ten feet in width, which is constructed for the purpose of operation of golf carts and NEVs (as well as bicycle and pedestrian use) and designated for golf cart use by appropriate signage.

(Ord. No. 98-23, § 2, 4-21-98)

Sec. 106-73. - Operation.

- (a) The operation of any golf cart on county roads/streets in the unincorporated area of the county under the following conditions is prohibited:
- (1) Operation between the hours of sunset and sunrise except as otherwise provided for herein.
 - (2) Failure to equip a golf cart with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices on both the front and rear of the golf cart when operated on designated roads/streets.
 - (3) Operation between the hours of sunset and sunrise unless it is equipped with headlights, brake lights, turn signals, and a windshield pursuant to F.S. § 316.212(4) as well as the equipment specified in subsection (2).
 - (4) Failure to, in accordance with F.S. § 316.217, operate a golf cart with lighted headlights when operated between the time of sunset to sunrise and/or during conditions of rain, smoke, or fog.
 - (5) Operation of a golf cart by a person or operator who has not attained the age as stipulated in F.S. § 316.212.
 - (6) In violation of state or county traffic regulations.
 - (7) On bicycle paths, ped-ways, or sidewalks; however, golf carts may be operated on trails, as defined in section 106-72 herein, designated within the Viera North PUD or as designated and approved by the county traffic engineer.
 - (8) Carrying more passengers than the number of passengers which the golf cart was designed to carry.
- (b) Operation of a golf cart on any county road/street in the unincorporated area which the county has not designated for the use or operation of golf carts, as provided for herein, is prohibited.

Golf carts operated in compliance with subsection (a) above, shall be allowed to operate upon the streets, roads or trails designated for operation as follows:

- (1) All roads/streets within the Sherwood Estates Subdivision.
 - a. North Carpenter Road shall not be a designated road/street except that North Carpenter Road may be crossed at designated crossings.
- (2) There are no designated roads/streets in the Savannahs at Sykes Creek Subdivision, except that Savannahs Trail may be crossed at the designated crossing for golf carts located approximately 100 feet south of the entrance to the subdivision.
- (3) All roads/streets and paved trails permitting golf cart use as indicated by appropriate signage within the Viera North Planned Unit Development (PUD), east of I-95, and abutting subdivisions, south of the city limits of Rockledge, Florida except as set out in subsections a. and b. below:
 - a. Murrell Road shall not be a designated road/street, except that Murrell Road may be crossed only at designated pedestrian crossings.
 - b. Viera Boulevard shall not be a designated road/street, except Viera Boulevard may be crossed only at designated pedestrian crossings.
- (4) All roads/streets and paved trails permitting golf cart use as indicated by appropriate signage within the Central Viera PUD, west of I-95, and abutting subdivisions, south of the city limits of Rockledge, Florida except as set out in subsections a. through e. below:
 - a. Stadium Parkway shall not be a designated road/street, except that Stadium Parkway may be crossed at the designated pedestrian crossings at Viera Boulevard, at the driveway entrance of the Duran Country Club and the Duran practice range/short course; at the designated pedestrian crossings between the Harry T. and Harriet V. Moore Justice Center and the Brevard County Central Government Services Complex, and at the designated pedestrian crossing at its intersection with Wickham Road.

- b. Tavistock Drive shall not be a designated road/street, except that Tavistock Drive may be crossed at designated pedestrian crossings located at Viera Boulevard.
 - c. Lake Andrew Drive shall not be a designated road/street, except that Lake Andrew Drive may be crossed at the designated location at Ivanhoe Drive.
 - d. Viera Boulevard shall not be a designated road/street, except that Viera Boulevard may be crossed at the designated pedestrian crossings at Stadium Parkway and at Tavistock Drive.
 - e. Wickham Road shall not be a designated road/street, except that Wickham Road may be crossed at the designated location immediately west of the intersection of Wickham Road and Stadium Parkway.
- (5) All roads/streets and trails located within the individual residential subdivisions of the Suntree Planned Unit Development (PUD) including Inverness Avenue and within the Vizcaya, Sawgrass and St. Andrews Isles residential subdivisions adjacent to the Suntree PUD.
- a. Jordan Blass Boulevard between St. Andrews Boulevard to the pedestrian crossing located on Jordan Blass Boulevard adjacent to the northwest corner of the Suntree Elementary school property shall be a designated road. Jordan Blass Boulevard east of the pedestrian crossing, located as described, to Wickham Road shall not be a designated road.
 - b. Interlachen Road, Jordan Blass Boulevard (as above), and North and South Pinehurst shall be designated roads except that operation of golf carts upon Interlachen Road, Jordan Blass Drive, and North and South Pinehurst Drive for any other purpose than to drive the most direct route between the operator's home and the golf course/clubhouse both of which shall be located within the Suntree PUD, or between the operator's home and Suntree Elementary School both of which shall be located within the Suntree PUD, is prohibited.
 - c. St. Andrews Boulevard shall be a designated road except that operation of golf carts for any other purpose than to drive the most direct route between the operator's home located in the Suntree PUD or the Sawgrass, St. Andrews Isle, or Vizcaya subdivisions and the golf course/clubhouse, or the most direct route between the operator's home located in the Suntree PUD or the Sawgrass, St. Andrews Isle, or Vizcaya subdivisions and Suntree Elementary School, is prohibited.
 - d. Wickham Road shall not be a designated road/street, except that Wickham Road may be crossed at the designated pedestrian crossing located at Wickham Road and North Pinehurst Avenue.
- (6) All roads and streets within the Barefoot Bay subdivision, except as set out in subsection a. below:
- a. Micco Road shall not be a designated road/street, except that Micco Road may be crossed at designated pedestrian crossings located at the Micco Road and Sebastian Road and at Micco Road and East Drive.
 - b. That part of Barefoot Boulevard located east of the Barefoot Bay subdivision to the intersection of Barefoot Boulevard and the driveway entrance to the shopping area at 7960 U.S. Highway 1, Sebastian, Florida, shall be a designated road/street.
- (7) Ron Beatty Boulevard, extending from Barefoot Boulevard south to Micco Road, shall be a designated road/street.

(Ord. No. 98-23, § 3, 4-21-98; Ord. No. 02-24, § 1, 5-21-02; Ord. No. 2009-13, § 1, 4-14-09; Ord. No. 09-38, § 1, 12-15-09)

Sec. 106-74. - Other prohibited conduct.

ATVs may not be operated on designated roads/streets or on trails.

(Ord. No. 98-23, § 4, 4-21-98)

Sec. 106-75. - Signage.

The county manager shall designate the department which shall post appropriate signs to indicate that operation of golf carts is allowed.

(Ord. No. 98-23, § 5, 4-21-98)

Sec. 106-76. - Inapplicable to NEVs.

This article shall not apply to neighborhood electric vehicles (NEVs) which have been sanctioned for on the road use by any state or federal law or rule which may be effective in the future. This article shall not prohibit use of NEVs as golf carts.

(Ord. No. 98-23, § 6, 4-21-98)

Sec. 106-77. - Area encompassed.

This article shall only be effective in the unincorporated area of Brevard County, Florida.

(Ord. No. 98-23, § 7, 4-21-98)

Sec. 106-78. - Penalty and enforcement.

Any person who violates any provision of this article shall, upon conviction, be guilty of an infraction pursuant to F.S. §§ 316.655, 318.13 and 318.14 (1997), all as may be amended from time to time. Enforcement of this article shall be pursuant to F.S. § 316.640 (1997), as may be amended from time to time. Enforcement may also be by suit for injunctive or other appropriate relief in a court of competent jurisdiction.

(Ord. No. 98-23, § 8, 4-21-98)

Secs. 106-79—106-95. - Reserved.