

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE CITY OF MORGAN’S POINT RESORT, TEXAS, CONTAINING FINDINGS OF FACT; AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES TO PROVIDE A DEFINITION OF A GOLF CART; REGULATING THE USE OF GOLF CARTS WITHIN THE CITY LIMITS; DEFINING REQUIRED EQUIPMENT FOR GOLF CARTS; DETERMINING WHO MAY OPERATE A GOLF CART WITHIN THE CITY LIMITS; AND PROVIDING AN OFFENSE AND A PENALTY OF UP TO \$500.00 FOR A VIOLATION OF THIS ORDINANCE; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Whereas Chapter 551 of the Texas Transportation Code authorizes cities regulate the use of Golf Carts within the city limits; and

Whereas this ordinance promotes the public health, safety, and welfare and helps alleviate traffic hazards;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN’S POINT RESORT, TEXAS:

That Chapter 12 of the City Code of Ordinances is hereby amended to add the following Sections 12.05.001 through 12.05.006.

Section 12.05.001 Definitions

A Golf Cart has the meaning assigned by the Texas Transportation Code Section 551.401. which states a “golf cart means a motor vehicle designed by the manufacturer primarily for use on a golf course.” Golf carts specifically exclude go-carts, neighborhood electric vehicles, off road vehicles, utility vehicles, and all-terrain vehicles, as defined by the Texas Transportation Code

Section 12.05.002. Golf Cart Use within the corporate boundaries of Morgan’s Point Resort

Golf carts may be operated during daylight hours within the corporate city limits of Morgan’s Point Resort on streets with a posted speed limit of not more than thirty-five (35) miles per hour.

Section 12.05.003 Use prohibited on any state highway within corporate boundaries of Morgan’s Point Resort

Golf carts are prohibited on any state highway located within the corporate boundaries of the city to include: FM 2483 and FM 2271 (Morgan’s Point Road).

Section 12.05.004. Equipment required

A golf cart must have the following equipment to operate within the corporate city limits:

- (1) Headlamps
- (2) Tail lamps
- (3) Reflectors
- (4) Parking brake
- (5) Mirrors
- (6) Horn
- (7) Slow moving vehicle placard

Section 12.05.005. Exclusions and Limitations.

The following exclusions and limitations apply to the operation of any golf cart in the City of Morgan's Point Resort:

- (1) Golf carts may only be operated by persons with a valid operator's permit and/or driver's license.
- (2) Golf carts may only be operated upon a public street or highway with a speed limit of not more than 35 mph unless otherwise restricted.
- (3) Golf carts must have a license plate as required by State law.
- (4) A golf cart may cross street or highway with a speed limit of more than 35 mph if said crossing occurs at an intersection and said crossing is perpendicular to the street or highway with a posted speed limit of more than 35 mph. Golf carts may only cross a street or highway with a speed limit of 45 mph or greater at an intersection with a traffic signal or sign.
- (5) Golf carts must move to the right and yield the right of way to faster moving vehicles.
- (6) The driver and every occupant of a golf cart must remain seated in a seat designed to hold passengers, while the golf cart is in motion.
- (7) No person may ride in the lap of the driver or any other occupant.
- (8) Golf carts must comply with applicable Texas and City of Morgan's Point Resort traffic laws.
- (9) The driver of a golf cart may not operate in such a manner as to endanger any person or property; or to obstruct, hinder or impede the lawful court of travel of any motor vehicle or the lawful use of any pedestrian or public streets, sidewalks, paths, trails, walkway, or parks.

Section 12.05.006. Penalty

Any person, firm, entity or corporation who violates any provision of this article, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding five hundred dollars (\$500.00). Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this article shall not preclude the city from filing suit to enjoin the violation. Morgan's Point Resort retains all legal rights and remedies available to it pursuant to local, state, and federal law.

To the extent of any conflict between the terms of this ordinance and any prior ordinance, this ordinance shall govern and control.

If any part or provision of this ordinance or application thereof, to any person or circumstance is held invalid, the remainder of this ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of the ordinance are severable.

The Ordinance shall be effective immediately following its publication in the local newspaper as required by the Texas Local Government Code. Thereafter, the rules contained therein will apply within the City of Morgan’s Point Resort, Texas.

PASSED AND APPROVED this 12 day of October, 2021, by 5 (eyes) to 0 (nays) with no abstentions by a vote of the City Council of the City of Morgan’s Point Resort, Texas.



/s/ DENNIS GREEN, Mayor

Attest:



/s/ Ophelia Rodriguez, City Secretary

APPROVED AS TO FORM:



/s/ Neale Potts, City Attorney