

ORDINANCE NO. 2009-08

**AN ORDINANCE
AUTHORIZING THE OPERATION OF
GOLF CARTS ON PUBLIC STREETS UNDER CERTAIN
CONDITIONS; REPEALING ORDINANCES IN CONFLICT;
PROVIDING FOR SEVERANCE; PROVIDING A PENALTY;
AND PROVIDING FOR PUBLICATION**

WHEREAS, Section 551.404, Texas Transportation Code authorizes certain operation of golf carts on public streets under certain circumstances; and

WHEREAS, the City Council of the City of Ingleside on the Bay has determined that such operation of golf carts on public streets will not present a safety hazard to the health, safety and public welfare of the citizens.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE ON THE BAY:

Section 1. "Golf cart" herein has the meaning assigned by Section 502.001, Texas Transportation Code as it now reads or as it may be amended.

Section 2. The operation of golf carts within the corporate limits of the City of Ingleside on the Bay upon public streets and public rights of way is hereby authorized under the following terms and conditions:

- a. operation of golf carts must be by a licensed driver;
- b. operation of golf carts is only allowed upon a public street with a posted speed limit of not more than 35 miles per hour;
- c. the golf cart must have the following equipment:
 1. headlamps;
 2. taillamps;
 3. reflectors;
 4. parking brake;
 5. mirrors; and
 6. slow moving vehicle sign.

Section 3. Any Ordinance, rule or regulation contrary to this Ordinance is hereby repealed to the extent of such conflict.

Section 4. If any provision, section, sentence, clause or phrase of this Ordinance, or the application of this Ordinance to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in

adopting this Ordinance that no portion hereof or provisions or regulations or regulations contained herein, shall become inoperative or fail by reason of any constitutionality of any other portion hereof and all provisions of this Ordinance are declared severable for that purpose.

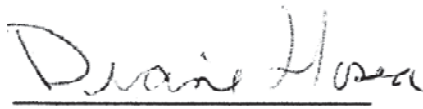
Section 5. Any violation of this Ordinance shall upon conviction be punishable by a fine not to exceed \$500.00.

Section 6. This Ordinance shall be effective September 1, 2009, the City Secretary is authorized and directed to provide the publication of the caption hereof in the official newspaper of the City of Ingleside on the Bay.

Passed and approved on the 4th day of August, 2009.


Howard Gillespie
Mayor

ATTEST:


Diane Hosea
Diane Hosea
City Secretary