



GOLF CART REGISTRATION PACKET

Calendar Year 2022

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City of DeBary
16 Colomba Rd
DeBary, FL 32713
386-660 2040, Ext 207
[www. DeBary.org](http://www.DeBary.org)



Golf Cart Registration Instructions

1. Download the registration packet online at debary.org/golf or pickup registration packet at City Hall between the hours of 8:30am – 5pm, Monday through Friday.
2. Residents of DeBary must complete the registration in its entirety to be considered for a Golf Cart permit. All appropriate signatures and initials are required. Copies of proof of required insurance with golf cart listed and valid driver's license are required with application submittal.
3. Once the application packet, including the required affidavit, is completed, it may be emailed to golfcartpermit@debary.org or dropped off at City Hall.
4. Once the application is submitted, the City may take up to 7 business days to review the application packet. Once approved, the applicant will be called or emailed to pick up the permit at City Hall and pay the annual registration fee. The City only accepts checks, money orders, and debit/credit cards for payment. Incomplete applications will cause delays.
5. Upon issuance of the permit sticker, the applicant must place the sticker on the lower driver's side windshield, in the lower right corner and facing outward.
6. The Golf Cart Coordinator will provide the applicant with a full copy of the signed and approved registration packet.
7. It is the responsibility of the applicant to read and understand the applicable rules and regulations pertaining to golf cart operation in the Florida Statutes, City Code of Ordinances, and any other applicable guidelines, rules, and regulations.
8. This registration is for only golf carts which are defined under Chapter 316.212, F.S. If your golf cart is modified to exceed 20 mph, it is considered a low speed vehicle (LSV). By law, LSV's must be registered, titled, and insured under the Florida Department of Highway Safety and Motor Vehicles. Please contact your local FDHSMV office for details. LSV's are not allowed on sidewalks.
9. Once the Permit is issued, it is not transferable to any other golf cart or golf cart owner.



Official Use
Permit # _____

Golf Cart Registration/Renewal Calendar Year _____

CART INFORMATION

VIN/SERIAL# _____ Cart Year _____
(Include all letters & numbers)

MAKE: _____ COLOR: _____ ENGINE: (Gas/Electric) _____

OWNER INFORMATION

Name(s) _____

Physical Address of Owner & Cart

Mailing Address (if different)

Street Address _____

Address _____

City _____

City _____

State _____

State _____

Zip _____

Zip _____

Are you exempt from public records under Chapter 119, F.S.? _____ If yes, please provide proper documentation.

Contact Information (required)

Phone# _____

Alternate Phone# _____

Email _____

Age Certification and License (required)

Are you 16 years of age or older and have a valid Florida Driver's License YES NO *(circle one)*

D.L.# _____ Expiration Date _____

Proof of Insurance Required (attach copy)

Insurance Carrier _____ Policy Number _____

Signature _____ Date _____



Official Use
Permit # _____

Golf Cart Registration Affidavit Calendar Year _____

BEFORE ME, the undersigned authority, personally appeared _____
_____, who, being first duly sworn, deposes and states as follows:

1. I am the legal owner of the golf cart registered with the City of DeBary, which golf cart is described as follows (Vin/Serial #) _____.

2. I have read Article III of Chapter 50 of the DeBary Code of Ordinances, all Florida Statutes pertaining to the operation of golf carts, and any established guidelines and policies as such pertain to the usage or operation of golf carts on designated municipal streets, roads, sidewalks, and trails within the city in their entirety and understand the duties and obligations I have with regard to same as the owner and operator of a golf cart within the City of DeBary.

3. I acknowledge and certify that the aforementioned golf cart is equipped with equipment required by Article III of Chapter 50 of the DeBary City Code of Ordinances and that such equipment is functioning and in good and serviceable condition as required by such code.

AFFIANT FURTHER SAYETH NOT.

(Signature)

(Printed Name)

STATE OF FLORIDA:
COUNTY OF VOLUSIA:

SWORN TO AND SUBSCRIBED before me by means of [] physical presence or [] online notarization, this _____ day of _____, _____, by _____.

(Notary Public Signature)

(Notary Public Print Name)

My Commission Expires:

Personally Known _____ OR Produced Identification _____

Type of Identification: _____



Golf Cart Equipment Requirements Calendar Year _____

Equipment	Confirmation	Yes or No
Windshield	Does your golf cart have a windshield?	
Mirrors	Does your golf cart have a Driver Side Rear View Mirror and one of the following, one Interior Rearview Mirror or Passenger Side Rear View Mirror?	
Headlamps	Does your golf cart have working headlamps?	
Tail/Brake Lights	Does your golf cart have working Tail and Brake Lights?	
Park Brake	Does your golf cart have a working Park Brake?	
Turn Signals	Does your golf cart have working Front & Rear Turn Signals?	
Reflectors	Does your golf cart have Side and Rear Reflectors?	
Horn	Does your golf cart have Horn in good working order capable of emitting sound audible under normal conditions from a distance of 200 feet?	
Insurance	Do you have Personal Injury (\$10,000) and Property Damage (\$10,000) insurance? Please provide proof of insurance.	

I, _____, certify that the equipment information provided is true and accurate.

Signature _____	Date _____
-----------------	------------



Official Use
Permit # _____

Golf Cart Travel Guidelines Calendar Year _____

Guideline	Initial
Highway 17-92, a.k.a. Charles Richard Beall Blvd. is a State Highway. Golf carts are prohibited from driving on this road or the sidewalk(s) adjacent to this road. Golf carts may not cross Highway 17/92 at any time.	
Saxon Blvd, Enterprise Road and Dirksen Drive are County Roads. Golf carts are prohibited from driving on these roads or on the sidewalk(s) adjacent to these roads.	
The City of DeBary Golf Cart Ordinance governs only golf carts within the city limits of the City of DeBary. At no time, does the Ordinance authorize golf carts to be used outside the city limits of the City of DeBary.	
Arterial roads are High Traffic Roads. At all times, golf carts may travel only on sidewalks adjacent to these roads. These roads are identified in the Ordinance. They are also identified by having a yellow-striped centerline. If there is no sidewalk on any arterial road or portion of arterial road, the golf cart driver may not drive alongside the arterial road. Golf carts may cross arterial roads at 90% at intersections or marked crosswalks. Please see City Golf Cart road map.	
Residential roads are Low Traffic Roads. Golf carts are allowed to travel on these roads. These roads are identified as having no centerline striping. Please see City Golf Cart road map.	
Sidewalks on Arterial Roads are multi-modal. The Ordinance established right-of-way in priority order, 1) pedestrians, 2) bicycles, and last, 3) golf carts. Golf cart drivers must stop or pullover to allow higher priority travelers to pass. Proper communication and courtesy is expected to ensure and preserves safe passage at all times.	
Golf carts traveling on sidewalks of Arterial Roads are expected to travel at half speed or 10 mph. The 10 mph speed limit is to preserve a safe traveling environment. Golf cart travelers recklessly exceeding 10 mph will be considered speeding and subject to moving violation penalties.	
All Golf Carts must follow all traffic laws, rules and protocols for traveling on roads and/or sidewalks, including, but not limited to, requirements to stop at stop signs; use turn signals; yield the right-of-way to turning vehicles when traveling on sidewalks; abide by pedestrian crossing signals and signage; use designated crosswalks; and conform with other safety protocols.	
Golf cart drivers must be at least 16 years of age and have a valid driver's license. Or, the golf cart driver may hold a learners permit as long as they are accompanied with an adult of at least 21 years' old who has a valid driver's license.	
The maximum number of passengers a golf cart may carry is equal to the number of seats with which the cart is equipped. Children and pets are counted as passengers and must remain seated at all times when the vehicle is in motion.	
I have read and understand the definition of trailers that are authorized under this Ordinance.	



Permit Approval

Calendar Year _____

Office Use Only

The City has reviewed all of the documents provided by the applicant and deem them to be sufficient to approve a permit. As of the date signed below, the applicant, _____, Golf Cart # _____ is hereby issued Permit # _____.

This permit expires on December 31, 2022 at 11:59pm.

Signed _____ Date _____

ORDINANCE NO. 04-2022

AN ORDINANCE OF THE CITY OF DEBARY, FLORIDA, CREATING ARTICLE III OF CHAPTER 50 OF THE CITY OF DEBARY CODE OF ORDINANCES AUTHORIZING THE OPERATION OF GOLF CARTS UPON CERTAIN STREETS, ROADS, AND SIDEWALKS WITHIN THE CITY; ESTABLISHING LOCAL REGULATIONS PERTAINING TO GOLF CARTS AND OTHER OFF-HIGHWAY AND LOW SPEED MOTORIZED VEHICLES; SETTING FORTH REQUISITE LEGISLATIVE FINDINGS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, § 316.212(1), Florida Statutes, permits municipalities to allow golf carts to be operated on municipal roads, streets, and sidewalks provided that they first determine that such carts may safely travel on or cross such public roads, streets and sidewalks upon considering the speed, volume, and character of motor vehicle traffic using those roads or streets; and

WHEREAS, § 316.212(5), Florida Statutes, states that golf carts may only be operated on such public roads or streets during the hours between official sunrise and official sunset, unless the governmental agency specifically determines that such golf carts may also be operated during the hours between official sunset and official sunrise and that golf carts being operated at such times possess headlights, brake lights, turn signals, and windshields; and

WHEREAS, § 316.212(8), Florida Statutes, allows municipalities to enact restrictions and regulations regarding golf cart operations that are more restrictive than those contained in the State Statutes as long as appropriate signage is installed as may be specifically required in accordance with the requirements of controlling law or the residents are otherwise informed that the regulation of golf cart operation in the designated area will be in accordance with a stricter local ordinance; and

WHEREAS, the DeBary City Council appointed a Golf Cart Citizen Advisory Committee, which conducted a study, has evaluated the actions of other local governments with regard to the authorization and regulation of golf carts, and has presented a business case with recommendations determining that golf carts may safely travel on or cross municipal roads, streets, and sidewalks considering the following factors: speed, volume, and the character of motor vehicle traffic using the relevant roads or streets; and

WHEREAS, the city council finds that golf carts are a valid form of transportation and are commonly used as a mode of mobility from place-to-place and for utility purposes; and

WHEREAS, the city council has evaluated numerous materials developed by other local governments during the course of considering the enactment of this ordinance; and

WHEREAS, the city council finds that the use of golf carts is an environmentally friendly mode of transportation; and

WHEREAS, the city council finds that golf carts generally operate at low speeds and are generally operated safely when driven properly and fitted with properly installed safety equipment; and

WHEREAS, the city council finds that the City of DeBary is a community that is well suited and will be benefitted by the appropriate use of golf carts for the purpose of transportation within appropriate areas of the city; and

WHEREAS, the city council has determined that golf carts may safely be operated on certain city roads, streets and sidewalks as set forth in this ordinance; and

WHEREAS, it is the purpose and intent of this ordinance to permit and regulate the operation of golf carts on designated public roadways located within the city limits of the City of DeBary, and the city council, upon the advice and findings of a citizen advisory committee and technical assistance from city staff, has studied and evaluated the use of golf carts in other local governments throughout the State of Florida; and

WHEREAS, it is also the purpose of this ordinance to (1) provide for the orderly operation of golf carts on designated municipal streets, roads, and sidewalks; and (2) set standards for the operation of golf carts; and

WHEREAS, the regulations that are set forth in this ordinance relating to the regulation of golf carts are, to some extent, more restrictive than those set forth in § 316.212, Florida Statutes, in order to protect the public health, safety, and welfare of the citizens of the City of DeBary in such manner as the city council of the City of DeBary has determined to be appropriate for the needs of the City of DeBary; and

WHEREAS, the provisions of this ordinance may not be construed or interpreted to authorize any use of the city's rights-of-way, roads, or streets of the city that is not authorized by controlling law such as, by way of example only, the operation of all-terrain vehicles, ROVs, or other low speed vehicles other than golf carts as defined by state statute; and

WHEREAS, the city staff report and city council agenda memorandum relating to this matter are hereby adopted as if fully set forth herein; and

WHEREAS, the City of DeBary has complied with all requirements and procedures of Florida law in processing and advertising this ordinance.

WHEREAS, the city council believes that regulations proposed in this ordinance promote and enhance the health, safety and welfare of its citizens; and

WHEREAS, § 2(b), Art. VIII of the Florida Constitution and § 166.021(1), Florida Statutes, establishes the home rule powers of Florida cities and provides that municipalities have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, this Ordinance implements and is enacted under the home rule powers vested in Florida cities by the Constitution of the State of Florida.

NOW THEREFORE, it is hereby ordained by the City of DeBary as follows:

SECTION 1. Legislative Purposes, Findings and Intent. The foregoing recitals (whereas clauses) to this ordinance are hereby adopted as the legislative findings of the DeBary City Council and are incorporated into this ordinance as if set fully set forth herein.

SECTION 2. City Code Amendment. This new Article III of Chapter 50 of the City of DeBary Code of Ordinances pertaining to the use of golf carts within the City of DeBary is hereby adopted (words that are ~~stricken~~ ~~out~~ are deletions; words that are underlined are additions):

ARTICLE III. – GOLF CARTS

Sec. 50-100. Definitions. The following terms shall have the following meanings in the application and enforcement of this Ordinance:

- (1) The term “ATV” shall have the same definition as set forth for such term in § 317.0003, Florida Statutes.
- (2) The term “bicycle path” means that part of any road or street that has been designated or physically separated from the area used by motor vehicles by striping, signing, or pavement markings for the preferential and exclusive use of bicyclists.
- (3) The term “city manager” shall mean and refer to the chief administrative officer of the city as appointed pursuant to Article VI of the Charter of the City of DeBary.
- (4) The term “county” shall mean and refer to Volusia County, Florida.
- (5) The term “county road” shall mean and refer to roads and streets over which the county has original jurisdiction pursuant to § 316.006, Florida Statutes, or that are part of the “county road system” as defined in § 316.003, Florida Statutes.
- (6) The terms “designated municipal street, road, sidewalk, or trail” refer to the paved area of an improved street, road, sidewalk, or trail, as applicable, which has been determined by the city council as a street, road, sidewalk, or trail on which golf carts may be operated under the provisions of this ordinance.
- (7) The term “golf cart” shall have the same definition as set forth for such term in § 320.01, Florida Statutes. Golf carts operating within the City of DeBary must meet minimum equipment standards as set forth in controlling law and may not be modified to have increased power, wheel base, or tire modifications from a standard manufactured gas or electric golf cart.
- (8) The terms “low speed vehicle” and “LSV” shall have the same definition as set forth for such terms in § 320.01, Florida Statutes.
- (9) The term “municipal road” shall mean and refer to those roads and streets over which the city has original jurisdiction pursuant to § 316.006, Florida Statutes, including any private roads and streets over which the city or its proxy has been granted municipal traffic enforcement authority, whether by easement or other contractual arrangement.
- (10) The terms “off-highway motorcycle” and “OHM” shall have the same definition as set forth for such terms in § 317.0003, Florida Statutes.
- (11) The term “off-highway vehicle” shall have the same definition as set forth for such term in § 317.0003, Florida Statutes.
- (12) The term “operator” means the person registering a golf cart with the City of DeBary for use within the city or any person who is using a golf cart within the city.
- (13) The term “ROV” shall have the same definition as set forth for such term in § 317.0003, Florida Statutes.

- (14) The term “sidewalk” shall have the same definition as set forth for such term in § 316.003, Florida Statutes.
- (15) The term “state” shall mean and refer to the State of Florida.
- (16) The term “state road” shall have the same definition as set forth for such term in § 316.003, Florida Statutes.
- (17) The term “trailer” shall mean and refer to a trailer or cart towed behind a golf cart that is designed to carry material, equipment, fill, tools, or other items.
- (18) The definitions set forth in § 334.03, Florida Statutes, are incorporated herein by reference and are be applicable to the extent applicable in the context of the provisions of this Ordinance.

Sec. 50-101. Authorized Use of Golf Carts on Municipal Roads, Streets and Sidewalks.

- (1) Golf carts may be operated on all municipal roads, streets and sidewalks in accordance with § 316.212, Florida Statutes, but only as implemented and permitted by the provisions of this article.
- (2) In addition to the requirements of § 316,212, Florida Statutes, which is applicable to the operation of golf carts on the aforementioned designated roads, streets, and sidewalks, the following restrictions shall also apply:
 - a. Golf carts are the only motorized vehicles that may travel on designated municipal sidewalks and trails.
 - b. LSVs and ROVs are prohibited from traveling on municipal sidewalks and trails, regardless of designation for golf cart use.
 - c. ATVs and other off-highway vehicles and off-highway motorcycles are prohibited from traveling on municipal roads, sidewalks, and trails, regardless of designation for golf cart use.
- (3) This article applies to the operation of golf carts and other motorized vehicles on municipal roads, streets, and sidewalks and does not otherwise apply to:
 - a. The operation of any golf carts or other motorized vehicles on lands owned, controlled, or otherwise managed by the state or county, which operation, if any is permitted, will be governed by applicable state or county laws, rules, or policies pertaining to same;
 - b. The operation of any golf carts or other motorized vehicles when operated solely on private property, which property does not meet the definition of a municipal road or sidewalk adjacent thereto, such as private golf courses and other privately owned lands; or

- c. The operation of any golf carts or other motorized vehicles owned by the city when operated by city employees, contractors, or agents on city owned, controlled, or managed lands in connection with the conduct of city business.

Sec. 50-102. Designation of Municipal Roads, Streets and Sidewalks for Golf Cart Use.

- (1) Highway 17/92, also known as Charles Richard Beall Boulevard is a state road. Until such time as the state grants authorization to the city, all golf carts are prohibited from being operated on such road or the sidewalk(s) adjacent thereto.
- (2) Upon review and approval by the Florida Department of Transportation, golf carts are permitted to cross Highway 17/92 at a 90-degree angle only at those intersections and locations designated and equipped for such purposes in accordance with § 316.212(2), Florida Statutes, as amended or transferred. A person crossing in such a manner must comply with any signaling and signage posted or installed at such intersections.
- (3) Saxon Boulevard, Enterprise Road, and Dirksen Drive are county roads. Until such time as the county permits the city to authorize the use of golf carts upon or adjacent to such roads, all golf carts are prohibited from being operated on such county roads or on the sidewalk(s) adjacent thereto.
- (4) All other roads within the city limits are municipal roads. There are two types of municipal road designations:
- a. Arterial Roads. Arterial roads are roads or streets designated by the city as high-traffic designated roads. Golf carts are not authorized to travel on arterial roads. Instead, golf carts are authorized to travel on the adjacent sidewalks and trails of designated arterial roads as defined herein.
- i. Arterial roads are identified as having center lane striping.
- ii. Sidewalks and trails on arterial roads are shared sidewalks with pedestrians, bicycles and golf carts. Right-of-way on these sidewalks and trails is prioritized as follows, with (1) being highest priority and (3) being lowest priority: (1) pedestrians, (2) bicycles, and (3) golf carts. Lower priority users must yield to higher priority users.
- iii. Golf carts are not permitted to be operated on the shoulder of or adjacent to arterial roads without adjacent sidewalk(s) or trails.
- iv. By this Ordinance, golf carts are authorized to travel on the sidewalks and trails adjacent to the following designated arterial roads within the DeBary city limits:
1. DeBary Plantation Blvd.
 2. Donald E. Smith Blvd.
 3. East Highbanks Road
 4. West Highbanks Road
 5. Ft. Florida Road
 6. North Shell Road
 7. South Shell Road, including the future portion known as Main Street

8. Colomba Road, including that portion of Alicante Road running between Colomba Road west of Alicante Road and Colomba Road east of Alicante Road.
9. DeBary Drive
10. Spring Vista Road between Highway 17-92 and South Shell Road.
11. Benson Junction Road.
12. North Pine Meadow Road
13. South Pine Meadow Road.
14. Alexandra Woods Road
15. Barwick Road
16. Palm Drive
17. Mansion Blvd
18. Matanzas Road
19. Amigos Road between East Highbanks Road and Plumosa Road
20. Dogwood Trail
21. Columbine Trail
22. Sunrise Road between Dirksen Drive and Palm Drive
23. Summerhaven Drive

- b. Residential Roads. Residential roads are roads and streets designated by the city as low traffic roads and lack centerline striping. All municipal roads and streets, whether public or private and which are not arterial roads, are designated as residential roads. The city hereby authorizes the operation of golf carts on residential roads within the city limits of DeBary.

Sec. 50-103. Golf Cart Equipment Regulations.

- (1) For safety, golf carts operated on designated municipal streets, roads, sidewalks, or trails must be appropriately equipped with the following properly functioning items that are in usable and operable condition:
- a. A clear windshield mounted at the front of the vehicle so as to reasonably protect the face of the golf cart operator from wind and debris while the golf cart is underway. Such windshield must be in good repair, free of cracks, and not be covered, marred, stained, or painted over so as to obstruct the operator's field of vision when operating the golf cart.
 - b. Driver's side exterior mirror.
 - c. Either an interior rear view mirror or a passenger's side exterior mirror.
 - d. Two headlamps mounted on the front of the golf cart and facing forward, which show a white light. An object, material, or covering that alters the headlamp's light color may not be placed, displayed, installed, affixed, or applied over a headlamp. Light bars are prohibited.
 - e. Two tail lamps mounted on the rear of the golf cart facing rearward, which must emit a red light plainly visible from a distance of 1,000 feet to the rear of the vehicle. Such tail lamps must be enabled to additionally function as brake lamps so that they automatically emit a distinctively brighter red light when the brakes of the golf cart are applied.

- f. Brakes and parking brake.
 - g. Front and rear turn signals. When signaling, front turn signals must emit a flashing amber light while rear facing turn signals must emit a flashing light that is either amber or red in color.
 - h. A reliable steering apparatus.
 - i. Rear and side reflex reflectors.
 - j. A horn installed into the golf cart so as to be easily operated by the operator of the golf cart and that is plainly audible when activated.
 - k. Golf carts may be equipped with a trailer, the dimensions of which may not exceed 40” wide and 60” long. The total weight of the material or other items hauled in the trailer may not exceed the weight limit specified by the manufacturer of the trailer or the manufacturer’s towing capacity for the golf cart to which the trailer is attached. Golf carts equipped with trailers must be equipped with a properly installed trailer hitch or hitch pin accessibly that is appropriate to the linkage used by the attached trailer. Golf cart trailers may not be used to transport or otherwise carry (i) passengers or (ii) vehicles such as boats, ATVs, and other motorized vehicles, including additional golf carts. Trailers not otherwise designed to be towed by a golf cart are not permitted.
- (5) The number of occupants in any golf cart operated pursuant to this article is restricted to the number of seats on the golf cart. For the purposes of this provision, both pets and persons qualify as “occupants,” and a standard golf cart bench seat is deemed to allow seating for three occupants. No occupants of a golf cart may stand at any time while the golf cart is in motion.

Sec. 50-104. Age Restrictions and Insurance.

- (1) Operators of golf carts on designated streets, roads, sidewalks, and trails within the city must meet the following requirements:
 - a. Operators must be at least 16 years of age and have a valid driver’s license.
 - b. Operators with a learner’s permit may drive a golf cart if accompanied by a passenger of at least 21 years of age with a valid driver’s license.
- (2) Owners of golf carts are required to carry and maintain a personal injury and property damage insurance policy covering operation of such carts in the minimum amounts of \$10,000 per occurrence, \$10,000 in the aggregate. Upon registration and permitting, owners must show proof of insurance.

Sec. 50-105. Registration and Permitting.

- (1) Prior to operating a golf cart on designated municipal streets, roads, sidewalks, or trails, an owner of a golf cart must register such cart with the city and obtain a permit as set forth herein.

- (2) Golf carts must be registered prior to use in the City of DeBary pursuant to this article. Registration is required on an annual basis. The manager, or his/her designee, shall implement a registration program and the city manager is hereby authorized to adopt administrative rules and promulgate forms in order to implement the provisions of this article. The city shall charge a registration fee in an amount determined by resolution adopted by the city council as amended from time-to-time.
- (3) Before any golf cart can drive on designated municipal roads, streets, sidewalks, or trails the owner of the golf cart must register and apply for a city permit. The following are the requirements of registration:
- a. The golf cart permit is a permit issued on an annual basis running from January 1st through December 31st of each year.
 - b. All golf cart permits must be renewed every year.
 - c. All golf cart permits are annual permits, per golf cart with no prorated or partial pricing. The city council may establish or amend the permit fee by resolution at any time; however, if no such resolution is adopted, such fee shall be \$25.00.
 - d. Each owner, upon approved registration, will receive an annual permit sticker to be placed on the windshield of the golf cart on the driver's side, lower corner, and facing outward.
 - e. As a requirement of registration, the owner must sign an affidavit certifying that such person is the owner of the golf cart, has read and understood the city's ordinances, Florida Statutes, and general guidelines governing the usage and operation of golf carts on designated municipal streets, roads, sidewalks, and trails of the City of DeBary, and acknowledges and certifies that the golf cart is properly equipped with the equipment required by this article.
 - f. The golf cart owner must provide proof of insurance at the time of each annual registration that such owner is carrying personal injury and property damage insurance for the operation of such golf cart in the minimum per occurrence and aggregate amounts of \$10,000. Insurance must be maintained at all times, and failure to maintain such insurance shall be grounds for revocation of a permit issued hereunder.
 - g. The owner must provide a valid driver license and up to date contact information which includes, but is not limited to, the owner's legal name, physical and mailing addresses, telephone number, and email address.
- (4) Driving a golf cart on municipal roads, streets, sidewalks, or trails without a permit or an expired permit will subject the owner to a \$150 fine per incident.
- (5) The city has the right to reject or not renew any permit registration application if the application is incomplete, all of the minimum requirements are not met, or if the applicant has been found in violation of this article two (2) or more times within the past twelve months of the date of his/her annual application.
- (6) The City Manager may revoke a registration via a written revocation letter at any time for the following reasons:

- a. Operating a golf cart in a reckless manner or in such a manner so as to cause injury to pedestrians, other golf cart operators, or bicyclists;
 - b. Operating a golf cart in such a manner so as to result in damage to public or private property;
 - c. Operating a golf cart with general disregard of the rules resulting in two or more moving violations involving the operation of a golf cart within a single twelve (12) month period; or
 - d. The person registering a golf cart or applying for a permit falsifies his/her registration of same or affidavit pertaining to such.
- (7) The city manager may issue a revocation letter to the owner of a golf cart. The golf cart owner may appeal the revocation within 30 days of the date of the letter to the city council. Such appeal must be in writing and set forth the specific legal and factual basis as to why the city manager's revocation should not be upheld. The city council will consider the appeal at its next regular city council meeting occurring 30 days or more following the filing of such appeal with the city manager's office.
- (8) Revocation will become final if the golf owner fails to timely file an appeal or the Council upholds the revocation. Upon revocation, a person may not apply for or register a golf cart for a period of one (1) calendar year following revocation.

Sec. 50-106 Moving Violations.

- (1) Golf cart operators shall ensure that their golf carts are maintained and operated in accordance with all applicable local and state traffic laws and may be ticketed or otherwise cited for traffic violations in the same manner as operators of motor vehicles.
- (2) Golf cart operators must comply with all traffic control signs, signals, and applicable laws when operating a golf cart at or across intersections, and it is unlawful for the operator to fail to abide by such signs, signals and laws.
- (3) Golf carts operating subject to this article may be operated 24 hours per day, seven days each week if possessing operational headlights, brake lights, tail lights, turn signals, and windshields.
- (4) Golf carts may not be operated on state bike trails or within any other areas where such vehicles are prohibited from operating by law, rule, ordinance, or duly adopted policy.
- (5) Golf carts may be used to cross state and county roads only at crosswalks where there are functioning traffic lights and pedestrian signals equipped. Any golf cart crossing a state or county road may cross only when indicated by a walk signal and while operating within the designated crosswalk.
- (6) It is a violation of this article to operate a golf cart at a speed in excess of the posted speed or speed mandated by this article.
- (7) It is a violation to operate a golf cart in a reckless manner so as to endanger or cause injury to pedestrians, other golf cart operators or riders, or private or public property.

Sec. 50-107. Signage Related to Golf Carts.

- (1) The city manager or his or her designee shall post signs and other postings as may be required by controlling law to implement the provisions of this article, and all signage installed by the city must be in a form and installed as may be required in accordance with the controlling provisions of law and sound and generally accepted engineering practices and principles as determined by the city; provided, however, that it is not the intent of this article to require the city to install or maintain any signage that is not required by applicable state law.
- (2) Regardless of the foregoing, it is not be a defense to any enforcement action under statute or the provisions of this article, in any forum of any type or nature, that signage was not in place or was not noticed or understood by an operator of a golf cart.
- (3) The posting or failure to post signage under the provisions of this article may not serve as the basis for any liability of any type or nature against the city or any of its officials, officers, or employees.

Section 50-108. Penalties/Enforcement/Collections.

- (1) Any person determined to be in violation of this article is subject to fines and code enforcement proceedings and citations to the maximum extent permitted by state law, and the City of DeBary may take any enforcement action and seek any legal remedy available under controlling Florida law.
- (2) Under certain circumstances, it is a violation of state law for a person to refuse to take action at the time a citation is issues, and the city shall enforce those laws and pursue statutory violations in accordance with controlling Florida law.
- (3) Without in any way limiting the generality of the provisions of subsections (1) and (2) of this section, a violation of this article constitutes a non-criminal infraction enforceable pursuant to the provisions of § 316.212(9), Florida Statutes (2021), as such may be amended or transferred. The use of a golf cart resulting in violations of the Florida "Uniform Traffic Control" statute and the Florida "Uniform Disposition of Traffic Infractions Act" are enforceable as provided in Chapters 316 and 318, Florida Statutes. All other city ordinances pertaining to the use of motor vehicles are also applicable to the operation of golf carts to the extent that such may be applied. The city may enforce the provisions of this article in any manner authorized in accordance with applicable law and may seek any legal remedy as may be authorized by applicable law.
- (4) The city manager is hereby authorized to pursue collection activities relative to fines imposed against code violators in such manner, and using such processes, as may be in the best interests of the city and may authorize collection agencies and/or the city attorney to pursue collections in a manner consistent with applicable law.

SECTION 3. Codification. Section 2 of this ordinance is incorporated into the Code of Ordinances of the City of DeBary, Florida. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the substance, construction, or meaning of this ordinance or the city's Code of Ordinances may be freely made.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion will be deemed a separate, distinct, and independent provision, and such holding will not affect the validity of the remaining portions of this ordinance.

SECTION 7. Conflicts. In the event of a conflict or conflicts between this ordinance and any other ordinance or provision of law, this ordinance governs and controls to the extent of such conflict.

SECTION 8. Effective Date. This ordinance shall take effect on March 1, 2022. The City Manager may begin registration and permitting processes for golf carts upon the City Council's approval of the second reading of this ordinance.

Passed and adopted this _____ day of December, 2021

CITY COUNCIL
CITY OF DEBARY

Karen Chasez, Mayor

ATTEST:

Annette Hatch, CMC, City Clerk

Date: _____

SEAL



Definition of Trailers

- **Section 50-103(1)(k):** Golf carts may be equipped with a trailer, the dimensions of which may not exceed 40" wide and 60" long. The total weight of the material or other items hauled in the trailer may not exceed the weight limit specified by the manufacturer of the trailer or the manufacturer's towing capacity for the golf cart to which the trailer is attached. Golf carts equipped with trailers must be equipped with a properly installed trailer hitch or hitch pin accessible that is appropriate to the linkage used by the attached trailer. Golf cart trailers may not be used to transport or otherwise carry (i) passengers or (ii) vehicles such as boats, ATVs, and other motorized vehicles, including additional golf carts. Trailers not otherwise designed to be towed by a golf cart are not permitted.

Permitted



Prohibited





Designation of Roads



Pink – State Roads

Yellow – County Roads

Red – City Public Roads

Blue – City Private Roads

Green – City Public Roads Designated Arterial Roads

Larger Image on Website at DeBary.org/Golf



Section 316.212, Florida Statutes

316.212 Operation of golf carts on certain roadways.—The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(1) A golf cart may be operated only upon a county road that has been designated by a county, a municipal street that has been designated by a municipality, or a two-lane county road located within the jurisdiction of a municipality designated by that municipality, for use by golf carts. Prior to making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) A golf cart may be operated on a part of the State Highway System only under the following conditions:

(a) To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(b) To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(c) A golf cart may be operated on a state road that has been designated for transfer to a local government unit pursuant to s. 335.0415 if the Department of Transportation determines that the operation of a golf cart within the right-of-way of the road will not impede the safe and efficient flow of motor vehicular traffic. The department may authorize the operation of golf carts on such a road if:

1. The road is the only available public road along which golf carts may travel or cross or the road provides the safest travel route among alternative routes available; and

2. The speed, volume, and character of motor vehicular traffic using the road is considered in making such a determination.

Upon its determination that golf carts may be operated on a given road, the department shall post appropriate signs on the road to indicate that such operation is allowed.

(3) Notwithstanding any other provision of this section, a golf cart may be operated for the purpose of crossing a street or highway where a single mobile home park is located on both sides of the street or highway and is divided by that street or highway, provided that the governmental entity having original jurisdiction over such street or highway shall review and approve the location of the crossing and require implementation of any traffic controls needed for safety purposes. This subsection shall apply only to residents or guests of the mobile home park. If notice is posted at the entrance and exit of any mobile home park where residents of the park operate golf carts or electric vehicles within the confines of the park, it is not necessary for the park to have a

gate or other device at the entrance and exit in order for such golf carts or electric vehicles to be lawfully operated in the park.

(4) Notwithstanding any other provision of this section, if authorized by the Division of Recreation and Parks of the Department of Environmental Protection, a golf cart may be operated on a road that is part of the State Park Road System if the posted speed limit is 35 miles per hour or less.

(5) A golf cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

(6) A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(7) A golf cart may not be operated on public roads or streets by any person under the age of 14.

(8) A local governmental entity may enact an ordinance relating to:

(a) Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) Golf cart operation on sidewalks adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:

1. The local governmental entity determines, after considering the condition and current use of the sidewalks, the character of the surrounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;

2. The local governmental entity consults with the Department of Transportation before adopting the ordinance;

3. The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on sidewalks adjacent to state highways only if the sidewalks are at least 8 feet wide;

4. The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. 316.271; and

5. The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such sidewalks.

(9) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as a moving violation for infractions of subsections (1)-(5) or a local ordinance corresponding thereto and enacted pursuant to subsection (8), or punishable pursuant to chapter 318 as a nonmoving violation for infractions of subsection (6), subsection (7), or a local ordinance corresponding thereto and enacted pursuant to subsection (8).

History.—s. 2, ch. 83-188; s. 1, ch. 84-111; s. 2, ch. 88-253; s. 322, ch. 95-148; s. 4, ch. 96-413; s. 168, ch. 99-248; s. 7, ch. 2000-313; s. 6, ch. 2005-164; s. 3, ch. 2008-98; s. 46, ch. 2010-223; s. 2, ch. 2015-163.



Section 316.2122, Florida Statutes

316.2122 Operation of a low-speed vehicle, mini truck, or low-speed autonomous delivery vehicle on certain roadways.—

(1) The operation of a low-speed vehicle as defined in s. 320.01 or a mini truck as defined in s. 320.01 on any road is authorized with the following restrictions:

(a) A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.

(c) A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02 and titled pursuant to chapter 319.

(d) Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid driver license.

(2) The operation of a low-speed autonomous delivery vehicle on any road is authorized with the following restrictions:

(a) A low-speed autonomous delivery vehicle may operate only on streets or roads where the posted speed limit is 35 miles per hour or less. This paragraph does not prohibit a low-speed autonomous delivery vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A low-speed autonomous delivery vehicle may operate on a street or road with a posted speed limit of more than 35 miles per hour, but no more than 45 miles per hour, if:

1. The low-speed autonomous delivery vehicle travels no more than 1 continuous mile on such a street or road, except that the vehicle may travel in excess of 1 continuous mile if authorized by the entity with jurisdiction over the street or road;

2. The low-speed autonomous delivery vehicle operates exclusively in the right lane, other than for the purpose of completing a turn; and

3. On a two-lane street or road where overtaking and passing another vehicle is unsafe because of traffic moving in the opposite direction or because of other unsafe conditions, and five or more vehicles are formed in a line behind the autonomous delivery vehicle, the low-speed autonomous delivery vehicle exits the roadway wherever a sufficient area for a safe turn-out exists, to permit the vehicles following to proceed.

(c) A low-speed autonomous delivery vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, and vehicle identification numbers.

(d) Federal regulations adopted by the National Highway Traffic Safety Administration shall supersede this subsection when found to be in conflict with this subsection.

(e) A low-speed autonomous delivery vehicle must be covered by a policy of automobile insurance which provides the coverage required by s. 627.749(2)(a)1., 2., and 3. The coverage requirements of this paragraph may be satisfied by automobile insurance maintained by the owner of a low-speed autonomous delivery vehicle, the owner of the teleoperation system, the remote human operator, or a combination thereof.

(3) A county or municipality may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.

(4) The Department of Transportation may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

History.—s. 1, ch. 99-163; s. 5, ch. 2009-183; s. 85, ch. 2012-174; s. 78, ch. 2013-160; s. 2, ch. 2021-233.