

AMENDMENT OF MOTORIZED CART ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF EUHARLEE, GEORGIA FOR THE PURPOSE OF AMENDING THE MOTORIZED CARTS ORDINANCE SECTION III REGISTRATION REQUIREMENTS AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE CITY COUNCIL OF EUHARLEE HELD ON APRIL 5, 2011.

WHEREAS, the City of Euharlee amended Section III Registration Requirements to comply with Georgia State Code 40-6-331 and

WHEREAS Euharlee’s citizens have expressed an interest in and desire to operate recreational motorized vehicles on streets in certain subdivisions within the city limits; and

WHEREAS, Euharlee’s City Council is authorized to establish the rules and regulations for operation of motorized vehicles within its borders; and

WHEREAS, after review of the State Code by the Euharlee Police Department recommend the following changes in fees.

NOW THEREFORE, BE IT ORDAINED AND IT HEREBY IS ORDAINED, by virtue of the authority vested in the City Council by law, that the Motorized Cart Ordinance is amended as follows:

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SECTION III

REGISTRATION REQUIREMENTS

(a) Motorized Carts. It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated in an authorized driving zone, as set forth herein, to register the cart with the city within five business days of the date of purchase. A numerical decal shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the city’s police department. The decal must be affixed to the rear of the cart in a prominent, easily observable area at all times. The failure to have a current registration decal on a motorized cart shall be a violation of this section and subject the owner of such cart to a fine of \$50.

(1) Resident Fee. The annual registration fee for motorized carts owned by city residents shall be \$15.00, and the registration shall be valid from April 1st until March 31st. A \$10.00 late fee will be charged for renewals after March 31st.

(2) Nonresident Fee. In addition to the initial \$15.00 fee for the registration and decal, an annual registration/user fee of \$60.00 shall be charged to nonresidents of the city. The nonresident fee is due by March 31st each year until such time as the cart is sold or otherwise disposed of. This nonresident registration/user fee shall be prorated for carts purchased after March 31st of the first calendar year of ownership, unless the nonresident had previously paid the registration/user fee the same calendar year, in which case the \$15.00 registration fee would be required to register and obtain a decal for the new cart.

SECTION V ZONING PROCESS

(a) Authorized Driving Zones. The City zoning department shall establish and maintain a map subdividing the city into separate zones identified as “authorized driving zones” for motorized carts. For any homeowner within an authorized driving zone who has a driveway exiting on to a street with a speed limit in excess of 25 mph (“High Speed Road”), the map shall identify an authorized auxiliary sidewalk upon which the homeowner shall be permitted to drive the motorized cart when traveling to and from the authorized driving zone to his/her home.

(b) Request. A citizen may seek approval for the operation of motorized carts within the authorized driving zone in which he/she resides by submitting a letter to the zoning department. Once the letter has been received, the zoning department will send the requesting citizen and the homeowner’s association, if one exists, a copy of the map identifying the applicable authorized driving zone.

(c) Approval. Following a citizen request, the zoning department shall approve an authorized driving zone and notify the city police department of same upon receipt of one of the following:

- (1) A letter, signed by an authorized representative from the homeowner’s association(s) within the authorized driving zone, confirming the association’s approval of the request; or
- (2) A petition signed by 70% of the homeowners in the authorized driving zone approving the request for an authorized driving zone.

(d) Authorized Crossings. Upon approval of an authorized driving zone that is bisected by a High Speed Road, the zoning department shall identify one or more authorized crossings for

the High Speed Road. The zoning department shall install on the High Speed Road advisory plaques at a distance of 500 feet on either side of the crossing alerting drivers that they are approaching a crossing for motorized carts.

BE IT FURTHER ORDAINED that all Ordinances or Resolutions or parts of such said Ordinances or Resolutions in conflict herewith are hereby repealed provided, however, that any portion of said Resolutions or Ordinance not in conflict herewith shall remain in full force and effect.

SO ADOPTED the 5th day of October, 2010

SO AMENDED this 5th day of April, 2011

ATTEST:

EUHARLEE, GEORGIA

Liz H.Dempsey

City Clerk

Steve Worthington

Mayor - Protem