

**ORDINANCE NO.**

**AN ORDINANCE  
TO AMEND THE *CODE OF ORDINANCES*, ADOPTED JULY 24, 1989,  
BY ADDING CERTAIN LANGUAGE  
AT CHAPTER 21, TRAFFIC, ARTICLE I. IN GENERAL,  
SECTION 21-13 PERMITTING AND REGULATING THE OPERATION OF  
GOLF CARTS AND LICENSED LOW SPEED VEHICLES ON  
CERTAIN PUBLIC STREETS WITHIN THE CITY OF GULF  
AT SUBSECTION 1 (B) DESIGNATED CART STREETS**

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON July 13, 2020 as follows:

**Section 1:** That the Code of Ordinances, City of Gulf Shores, Alabama, is hereby amended at Chapter 21, Traffic, Article I. In General, Section 21-13, Subsection 1 (b) Designated Cart Streets by adding certain streets located in Martyn Woods At Bon Secour so that the entire Ordinance shall read as follows:

**Section 21-13. Operation of Golf Carts On Certain Public Streets Permitted And Regulated.**

(a) *Policy Statement.* This Section is enacted pursuant to the authority of the Alabama Constitutional Amendment adopted pursuant to Act No. 2016-271. In enacting this Section, the City Council confirms its view that golf carts are not designed or manufactured to be suitable for use on public streets and roads, and the City of Gulf Shores in no way advocates or endorses the operation of golf carts on public streets. The City understands that residents within golf course residential communities and other communities desire to have the option to operate their golf carts on a limited basis within those communities in order to access the amenities in and immediately adjacent to those communities, and have secured the adoption of Act No. 2016-271 to allow the enactment

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of ordinances permitting such operation in Baldwin County subject to the terms of the Act and to such other restrictions the City may impose as authorized by the Act. In designating public streets on which golf carts may be legally operated, the Act requires the City to determine that golf carts may safely travel on such designated streets after consideration of factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the street. The designation in this Section of certain streets as streets on which golf carts may safely travel is not a determination or representation by the City that operation of golf carts on such streets is in fact safe or advisable even if done in accordance with this Ordinance due to the limited drive characteristics and safety features of golf carts. All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride carts on public streets inside the City of Gulf Shores do so at their own risk and peril, and no permit for the operation of a golf cart on the public streets shall be issued except upon execution by the owner of the golf cart of a written undertaking to indemnify and hold the City, its officials, officers, agents, and employees harmless from any and all liability of any kind or character directly or indirectly associated with such operation.

(b) *Definitions.* As used in this Section, the following terms shall have the following meanings:

“Cart” shall mean a golf cart equipped with approved seat belts for each occupant, head lights, brake lights, turn signals, a windshield, a rear view mirror, efficient brakes, reliable steering apparatus, safe tires, red reflectorized warning devices on both the front

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and rear and an orange warning flag displayed at least six (6) feet above the ground, excepting, however any, State Tagged Cart or Municipal Service Vehicle.

“Designated Cart Street” shall mean the following public streets within the corporate limits of the City of Gulf Shores, Alabama designated under this Section for the use of Carts, to be marked with appropriate signage advising that the street may be utilized by

Carts:

*THE FOLLOWING CERTAIN STREETS IN CRAFT FARMS:*

ALTON ST  
AUGUSTA DR  
BIRKDALE ST  
BLUE HERON DR  
COTTON CREEK BLVD  
COTTON CREEK CIR  
CRAFT FARMS BLVD  
CRAIGEND LOOP  
CYPRESS BEND DR  
CYPRESS CIR  
CYPRESS LAKE DR  
CYPRESS POINT DR  
DARLEY CIR  
DORR AV  
ESTATES DR  
GLEN EAGLES AV  
GREENAN WAY  
GROVE ST  
GYAWS AV  
INVERNESS CIR  
LADYBANK ST  
MUIRFIELD CT  
OLDE PARK CT  
OLDE PARK LN  
OLDE PARK RD  
PINEHURST CIR  
PINEHURST DR  
PINEHURST PT  
PINEVIEW PL  
PORTLAND CIR  
PRESTWICK AV

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PRESTWICK CIR  
ROYAL DR  
ROYAL GLEN BLVD  
ROYAL TROON CIR  
ROYAL TROON DR  
SAINT ANDREWS DR  
SAINT ANDREWS DR E  
TURNBERRY DR  
VILLAGE DR  
VILLAGE LN  
WILLOW POINT CT

***THE FOLLOWING CERTAIN STREETS IN MARTYN WOODS AT BON SECOUR:***

**LYMAN BOULEVARD**  
**MILLHOUSE ROAD**  
**TREASURE OAKS ROAD**  
**TREASURE OAKS COURT**  
**BEATRICE ROAD**  
**MILLWOOD DRIVE**

By Resolution of the Council adopted from time to time subsequent to the enactment of this Section, the list of Designated Cart Streets may be amended by the addition of other streets or the deletion of streets previously listed, provided, however, no street on which the speed limit is greater than 25 miles per hour shall be designated as a Designated Cart Street.

“State Tagged Cart” shall mean a golf cart, low speed vehicle, or neighborhood electric vehicle that is registered with and licensed by the State of Alabama under Title 32 of the Code of Alabama.

“Municipal Service Vehicle” shall mean a City operated State Tagged Cart or other City operated motorized equipment or vehicle when in service for the provision of public safety or public maintenance services.

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*(c) Rules and Regulations*

Carts may not be operated on any public street, road, or highway within the corporate limits of the City of Gulf Shores that is not a Designated Cart Street and may be operated only on Designated Cart Streets in accordance with the following rules and regulations. A State Tagged Cart that is not a Municipal Service Vehicle may not be operated on any public street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

(1) No person who is not a driver licensed by the State of Alabama or, in the case of a non-resident, by his or her home state or country or who is less than eighteen (18) years of age may operate a Cart on a designated Cart Street.

(2) Carts may be operated on Designated Cart Streets only between the hours between sunrise and no later than 10:00 p.m. The headlights on the Cart shall be illuminated at all times when it is in operation on Designated Cart Streets regardless of the time of operation.

(3) Any person who operates a Cart on the Designated Cart Streets must adhere to all State and municipal laws applicable to the operation of motor vehicles, including, without limitation, all laws concerning the operation of a vehicle under the influence of alcohol or drugs. The operator of a Cart may not overtake and pass in the same lane occupied by the vehicle being overtaken. A Cart may not be operated between lanes of traffic or between

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adjacent lines or rows of vehicles, and Carts may not be operated two or more abreast in a single lane.

(4) Cart drivers must yield the right-of-way to overtaking vehicles at all times.

(5) The maximum occupancy of a Cart shall be the number of occupants for which the Cart has approved seat belts. No Cart shall be operated on any public street unless all occupants are seated with their seat belts fastened. No child under the age of five (5) shall be transported in a Cart on any public street.

(6) No Cart shall be operated on any public sidewalk or bike path.

(7) No Cart shall be parked in a designated handicapped parking space unless the driver or at least one passenger has a valid handicap parking permit that is displayed on the Cart.

(8) No Cart may be operated on a Designated Cart Street without a valid permit sticker issued by the Gulf Shores Police Department to the owner of the Cart attached. A yearly fee of twenty dollars (\$25.00) per Cart will be charged by for this permit sticker on the basis of each calendar year or portion thereof. Each Cart must be inspected annually before a permit is issued and no permit shall be issued for any Cart that does not meet the equipment and condition requirements of this Ordinance. No permit shall be issued for any Cart without proof that any person who may operate the Cart on a public street is

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covered by a policy of liability insurance held by the owner of the Cart. The required minimum liability limits for the operation of the Cart shall be the same as required by the State of Alabama for operation of a motor vehicle.

(d) *Violations.* The following shall constitute violations of this Section:

- (1) The operation of a Cart on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores that is not a Designated Cart Street.
- (2) The operation of a Cart on a Designated Cart Street in violation of any of the rules or regulations set out in subsection (c) above.
- (3) The operation of a golf cart that is not a Cart with a valid permit sticker on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores.
- (4) The operation of a State Tagged Cart that is not a Municipal Service Vehicle on any public street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

The unauthorized operation of a golf cart, Cart, or State Tagged Cart on any public street, road, or highway in violation of this Section shall be a violation for which the City may assess and collect a civil penalty from the owner in the amount of fifty dollars (\$50.00).

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In addition, any person committing a violation of this Section shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00) and/or may be imprisoned for a period not exceeding thirty (30) days, at the discretion of the court trying the case. In the event of the assessment of a civil penalty against the owner, of a conviction of the owner or operator of a violation, or both, and at the discretion of the Chief of Police reviewable by appeal to the City Council, the Cart permit sticker issued to a Cart operated in violation of this Ordinance may be revoked by the Chief of Police.

*(e) Section Supplementary To Federal and State Regulation.*

The provisions of this Section shall be interpreted as supplementary to all other municipal, state and federal laws and regulations now or hereafter in force, and compliance with this Section does not relieve an individual from the requirement of compliance with all other applicable municipal, state and federal laws and regulations, if any.

**Section 2.** The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity and enforceability of the remaining provisions of the Ordinance.

**Section 3.** This Ordinance shall become effective upon its adoption and publication as required by law.

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Adopted this 13th day of July, 2020.

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Robert Craft, Mayor

Attest:

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Wanda Parris, MMC  
City Clerk

**CERTIFICATE**

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on July 13, 2020 and the same was duly published as required by law.

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City Clerk