

**COMMONWEALTH OF KENTUCKY
GRAYSON COUNTY FISCAL COURT
ORDINANCE NO. 520.0**

**AN ORDINANCE RELATING TO THE USE OF GOLF CARTS ON CERTAIN
DESIGNATED COUNTY ROADS AND ROADWAYS**

WHEREAS, KRS 189.286, enacted by the Kentucky General Assembly, authorizes the governing body of a local government to permit and regulate the operation of golf carts on any public roadway within its jurisdiction subject to the requirements enumerated in the statute; and

WHEREAS, the operation of approved golf carts on county roadways has been requested by a number of Grayson County citizens; and

WHEREAS, the Grayson County Fiscal Court deems it appropriate to adopt the provisions of KRS 189.286 to permit and regulate the operation of golf carts on designated county roadways within its jurisdiction.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF GRAYSON, COMMONWEALTH OF KENTUCKY.

SECTION ONE

That a new section of the Grayson County, Kentucky code of Ordinances is hereby created as follows:

GOLF CARTS

Section 1. Definitions.

A. As used in the chapter, the term "Golf Cart" means any self-propelled vehicle that:

- (1) Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course'
- (2) Has a minimum of four (4) wheels;
- (3) Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
- (4) Is designed to carry not more than six (6) persons, including the driver;
- (5) Has a maximum gross vehicle weight of two thousand five hundred (2500) pounds;
- (6) Has a maximum rated payload capacity of one thousand two hundred (1200) pounds; and
- (7) Is equipped with the following:
 - a. Headlamps;

- b. Tail Lamps;
- c. Stop Lamps;
- d. Front and rear turn signals;
- e. One (1) red reflex reflector on each side as far to rear as practicable, and one (1) red flex reflector on the rear;
- f. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
- g. A parking brake;
- h. For each designated seating position, a seatbelt assembly that conforms to the federal motor vehicle safety standard provided in 49 C.F.R sec. 571.209; and a horn that meets the requirements of KRS 189.080.

B. "Full-time residence" is defined as a piece of real property that contains a permanently affixed personal residence home that is occupied year-round by at least one owner of the property whose PVA county property tax bill address listed is the same as the residence in question. However, RV's, rental homes and any other homes used for short term overnight rentals (i.e. Airbnb type locations) shall not fall into this category.

C. "Full-time resident" is defined as an owner that meets the requirements of B above.

Section 2. Requirements.

In order to be operated on a designated county roadway, a golf cart shall:

- (1) Be issued a permit for the golf cart by the county;
- (2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the county;
- (3) Be inspected by a certified inspector designated by the Grayson County Sheriff's office and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of the section. The inspection fee under this paragraph shall be five dollars (\$5.00) if the inspection occurs at the sheriff's inspection site or ten dollars (\$15.00) per trip if it becomes necessary for the certified inspector to travel to the site off the golf cart rather than having the golf cart brought to the sheriff's inspection site;
- (4) Display a slow-moving vehicle emblem in compliance with KRS 189.820;
- (5) Be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway;
- (6) Be operated only by a person with a valid operator's license in his or her possession and be sixteen (16) years or older.

(7) Be restricted such that the operation of a golf cart does not cross any roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour and does not cross any state route that has been prohibited by the Kentucky Transportation Cabinet:

(8) Be operated only on a designated county roadway approved by the Fiscal Court and listed in the Grayson County Code of Ordinance;

Section 3. Designated County Roadways.

A. Golf carts may only be operated on designated county roadways whose speed limits are thirty-five (35) miles per hour or less and are approved by the Grayson County Fiscal Court. Approved county or public roads permitted for golf cart use will be listed in the schedule of designated roadways in the Grayson County Code of Ordinances.

B. The Fiscal Court shall appoint three (3) individuals to a newly formed Traffic Safety Committee. The Traffic Safety Committee's sole purpose is to review applications for the designation of county roadways for golf cart operation. Three (3) committee members will be appointed by the Judge Executive, including: the Sheriff (or any certified officer in his employment may serve in his place as designated), the County Road Supervisor, and the County Road Assistant Supervisor. The Committee members shall only meet when there has been a valid application submitted and may meet in person, by phone, or by video teleconferencing within a reasonable time frame after receipt of the Application by the Fiscal Court. The Fiscal Court, upon receiving the Traffic Safety Committee's findings shall review the application and the findings and accept or deny the application.

C. Applications/Signatures

1. Resident Application

Any Grayson County resident may request the addition of a county or public roadway on which they reside as a "designated county roadway" by completing an *Application for Designation of County or Public Roadway for Golf Cart Operation* (herein referred to as "Application") and submitting the "Application" to Judge Executive's Office which will be forwarded to the Grayson County Traffic Safety Committee for review. The roadway requested must meet all requirements set forth in this chapter. Every "Application" must include a petition signed by a full-time resident from at least 50% of the separate full-time residences on said roadway. All full-time residences count as one potential full-time resident signature. (e.g., 10 full-time residences on X Road, a public road, requires at least 5 distinct full-time residents' signatures from 5 distinct full-time residences on the road.)

2. Group of Neighborhood Residents Application

A group of full-time residents may join together to request that multiple roadways within the same neighborhood in which they reside to be declared "designated county roadways" without multiple applications for consideration in the same manner as 1 above, with the exception that the Application must contain the signatures of 50% of full-time residents that reside on any of

the roads in neighborhood road group to be considered. (e.g. 40 full-time residences on X, Y and Z roads, all public roads within a neighborhood requires at least 20 distinct full-time residents from 20 distinct full-time residences anywhere on X, Y and Z roads to be considered.)

3. Homeowner's Association Application

A homeowner's association may request that multiple roadways within their neighborhood be "designated county roadways" by Application without the necessity of full-time resident signatures, if the Application is submitted with the official minutes or a letter representing that the homeowner's association has held a vote and affirmatively been directed to file an Application for consideration.

Section 4. Traffic and Parking Regulations.

A. Any person operating a golf cart on a public roadway under the provisions of the chapter shall be subject to all traffic regulations of KRS Chapter 189 and any other applicable provisions of the Code of Ordinances pertaining to the operation of vehicles upon county roads.

B. Golf carts are not permitted to be parked on or across a county roadway, sidewalk or multi-use pathway. Any person violating this section shall be subject to the penalty sections as listed in section 6 and 7 of the Ordinance.

Section 5: Parental/Guardian Responsibility

A. It shall be unlawful for any parent, guardian, or other adult person having care and/or custody of any minor child under 18 years of age to knowingly permit such a minor child to violate this chapter. Any parent or guardian or adult person having the care and/or custody of any minor child under 18 years of age who authorizes or knowingly permits such child to violate any part of this ordinance shall be guilty of a violation of this ordinance along with anyone under 18 that is charged for their actions, if applicable.

Section 6. Exemptions.

A. Golf carts operating on a public roadway are not considered to be a motor vehicle and are exempt from:

- (1) Title requirements of KRS 186.020;
- (2) Vehicle registration requirements of KRS 168.050; and
- (3) Emissions compliance certificates pursuant to KRS 224.20-720.

B. The provisions of these sections shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

Section 7. Penalty.

Any person violation the provisions of this article shall, upon conviction of a first offense shall be guilty of a violation and be fined not less than one hundred dollars (\$100) and not more than two hundred fifty dollars (\$250.00). Any person convicted of a subsequent violation of this

article within two (2) years of a prior conviction under this article, shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00).

Section 8. Towing and Storage.

An officer is authorized to have a towing service remove any golf cart or other self-propelled means of transportation from a county roadway to a storage facility when not operating with a valid permit as required in this article, not possessing an element required by State Statute or otherwise not in conformity with State Statute or County Ordinance.

This section shall not apply to a motorized disability access vehicle or a battery-operated unit which serves the sole purpose as a child's toy and not for transportation.

The golf cart or self-propelled means of transportation shall be released from the storage facility to the owner or other person proving sufficient proof of right to take ownership upon approval by the Sheriff's Department and payment of all towing and storage charges.

Section 9. Schedule of Designated Roadways.

It shall be lawful for any person who meets all requirements of Ordinance to operate a golf cart upon designated county streets and roadways approved pursuant to this Ordinance.

Section 10. Federal or State Statutes and Regulations.

The provisions of this Ordinance are subordinate to any federal or state law or regulation that pertains to the subject matter contained within this chapter.

SECTION TWO

The provisions of this Ordinance are severable; and the invalidity of any provisions of this Ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect, so long as they remain valid in the absence of those provisions determined to be invalid.

SECTION THREE

Effective Date. This Ordinance shall be in full force and effect following enactment and publication as prescribed by law.

First Reading – the 19th day of April, 2022

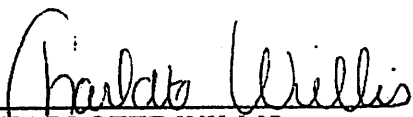
Second Reading – the 8th day of July 8, 2022

Adopted this the 8th day of **July 2022**.



KEVIN HENDERSON, Judge/Executive
Grayson County Fiscal Court

Attest:



CHARLOTTE WILLIS
Grayson County Clerk

Drafted by: 

JEREMY LOGSDON
Grayson County Attorney