

# City of Moulton, Texas



## ORDINANCE NO. 05142019-01

### **CITY OF MOULTON ORDINANCE, IN REGARD TO THE USE OF UTILITY TERRAIN VEHICLES AND GOLF CARTS ON THE STREETS AND ROADS IN THE CITY OF MOULTON, TEXAS, AND ESTABLISHING A PENALTY OF A FINE FOR VIOLATIONS.**

**Whereas**, the City has considered requests from the public desiring to use Utility Terrain Vehicles and/or Golf Carts on the streets and roads in the City; and

**Whereas**, the use of Utility Terrain Vehicles and/or Golf Carts may reduce overall vehicle emissions and use of these vehicles is an environmentally friendly alternative to the use of traditional passenger vehicles; and

**Whereas**, these vehicles are not usually equipped with certain safety features required or typically found on automobiles or other motor vehicles; and

**Whereas**, the City Council of the City of Moulton, Texas, believes that it would be in the best interest of the City and its citizens to allow the use of Utility Terrain Vehicle and Golf Carts on the streets and roads in the City for which the posted speed limit is not more than 30 miles per hour provided that the vehicle and operator of the vehicle are in compliance with the provisions of this ordinance.

**NOW, THEREFORE, IT IS ACCORDINGLY FOUND, DECLARED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF MOULTON THAT:**

**SECTION 1.** The Code of Ordinances of the City of Moulton, Texas, be and said Chapter 12 Traffic and Vehicles is hereby amended to add this Ordinance concerning operation of Utility Terrain Vehicles and/or Golf Carts in the City of Moulton, Texas.

**ARTICLE – UTILITY TERRAIN VEHICLE**  
Sometimes referred to as UTVs or Utility Tax Vehicle

#### **Definitions:**

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Utility Terrain Vehicle/Golf Cart** are those motorized recreational vehicles that have four wheels, and a steering wheel, capable of side by side passenger seating. Specifically excluded from this ordinance regarding Utility Terrain Vehicle/Golf Carts are those motorized conveyances commonly referred to as, three wheelers, all-terrain vehicles, ATV's and four wheelers.

**Operator** means the person driving and having physical control over a Utility Terrain Vehicle/Golf Cart.

**Owner** means the person holding title to the Utility Terrain Vehicle/Golf Cart.

**Street or Road** means a public roadway of the City of Moulton, Texas, whether called a road, alley, avenue, highway, route, boulevard, street, lane, or other description that:

- (a) has a posted speed limit of 30 miles per hour or less;
- (b) provides for no more than two lanes of vehicular traffic per directions; or
- (c) is not designated as part of either the state or federal highway system

### **Utility Terrain Vehicle/Golf Cart Operations Permitted.**

Provided that the UTV/Golf Cart is equipped as set out in section A, required equipment for Utility Terrain Vehicle, and provided that the UTV/Golf Cart is operated in accordance with all provisions set out in section (A) Operational Regulations, and except for those streets set out in section (A) Streets where UTV/Golf Cart is not permitted, a UTV/Golf Cart may be operated on the streets within the City of Moulton, Texas that have a posted speed of less than 30 miles per hour or less, that provide for no more than two lanes of vehicular traffic per directions, and are not designated as part of either the state or federal highway system.

Streets where Utility Terrain Vehicle/Golf Cart are not permitted.

UTV/Golf Carts are not permitted to be operated on any streets in the City of Moulton, Texas where the posted speed limit exceeds 30 miles per hour.

### **Required equipment for Utility Terrain Vehicle/Golf Cart**

(A) A UTV/Golf Cart must be equipped with the following minimum equipment:

- 1). Operational head lamps;
- 2). Operational tail lamps;
- 3). Side reflectors;
- 4). Operational parking brake;
- 5). Rear view mirror or mirrors;
- 6). Slow moving vehicle sign having a reflective surface designed to be clearly visible in daylight or at night from the light of a standard head lamp at a distance of at least 500 feet and mounted base down on the rear of the Utility Terrain Vehicle at a height from three to five feet above the road surface and maintained in a clean, reflective condition; and
- 7). Horn in good working condition that emits a sound audible under normal conditions at a distance of at least 200 feet.

### **Operational Regulations**

- (a) All operators of UTV/Golf Carts must be licensed to operate a motor vehicle and carry a valid driver's license;
- (b) All operators of UTV/Golf Carts shall obey all traffic regulations applicable to vehicular traffic;
- (c) UTV/Golf Carts shall not be operated on sidewalks and may not be operated on the grass areas of the City Park. Exception is made during special events with City approval;

- (d) The operator of a UTV/Golf Cart operating the UTV/Golf Cart on a street may cross where UTV/Golf Cart operation is prohibited but otherwise may not operate a UTV/Golf Cart on any street where operation of a UTV/Golf Cart is prohibited.
- (e) The seating capacity of the UTV/Golf Cart as designed or designated by the manufacturer of the UTV/Golf Cart shall not be exceeded;
- (f) The operator of the UTV/Golf Cart and all passengers in the UTV/Golf Cart shall be seated at all times while the UTV/Golf Cart is in motion;
- (g) UTV/Golf Cart passengers under the age of 8 shall be restrained by either a person over the age of 17 or by a seat belt at all times while the UTV/Golf Cart is in motion;
- (h) Operators of UTV/Golf Carts shall maintain financial responsibility as required for passenger vehicles by the provision of the Texas Transportation Code;
- (i) UTV/Golf Carts shall be parked in compliance with all State and City regulations;
- (j) UTV/Golf Carts shall not be operated when visibility is impaired due to inclement weather or other conditions, or insufficient light to clearly see persons or vehicle on the street at a distance of 500 feet.
- (k) UTV/Golf Carts shall be inspected and permitted through the City of Moulton on an annual basis.

**Penalty.**

Any person violating any provisions of this Article within the city limits shall, upon conviction, be punished by fine not the exceed five hundred dollars (\$500). A person may be convicted of violations of more than on provision of this Article for offenses occurring at the same time. Prosecution or conviction on this Article shall not be a bar to other remedies of relief for violations of this Article or other laws.


**SECTION 2.** This ordinance supersedes and replaces any previous ordinances.

**SECTION 3.** This ordinance shall be effective one day after publication of this ordinance or of the caption of this ordinance to the official newspaper of the City of Moulton, Texas.

**PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF MAY, 2019.**

  
\_\_\_\_\_  
Mark Zimmerman, Mayor  
City of Moulton

ATTESTED BY:

  
\_\_\_\_\_  
LuAnn D. Rogers, City Secretary  
City of Moulton