

ORDINANCE NO. 659

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 636: GOLF CARTS OF THE CITY OF LONG BEACH.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi having made due investigation, therefore, do find, determine, adjudicate and declare as follows:

A. That heretofore the Mayor and Board of Aldermen of the City of Long Beach conducted hearings and at a regular meeting held pursuant to legal notice did adopt and recommend approval of operation of golf carts on public streets and related restrictions.

B. That on April 19, 2022, the Mayor and Board of Alderman considered testimony and evidence presented and after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find and do now find, determine and adjudicate and declare that amendment to the Golf Cart Ordinance is needed and is clearly justified; that public need exists for adoption of the proposed amendment as shown in Exhibit A incorporated herein.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

A. That the Mayor and Board of Aldermen having considered the comments and testimony at said hearing, all of the documents submitted into evidence and their own knowledge and familiarity with the City of Long Beach, hereby find and adjudicate as follows:

That the clear and convincing evidence established is that the City of Long Beach, Mississippi is in need of amending the Ordinance, 636: Golf Cart.

B. That the clear and convincing evidence establishes the public need for said amendment;

C. The changes will not be detrimental to present and potential uses, but will have a beneficial effect which could not be achieved without the amendment;

D. The proposed changes in conformance with the general intent of the Comprehensive Master Plan.

E. That the City of Long Beach Ordinance incorporated herein as Ordinance 636 is hereby amended. This ordinance and resolution of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi shall be deemed effective in the manner and time prescribed by law.

F. The City Clerk is hereby ordered to publish this ordinance and resolution in the manner and time required by law.

Alderman Brown made a motion to approve the ordinance creating the amended Unified Land Use Ordinance and Section 636: Golf Carts, attached hereto. Alderman Johnson seconded the motion and the question being put to a roll call vote, the result was as follows:

Alderman Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	voted	Aye

The question having received the Affirmative vote of all of the Aldermen present and voting, the Mayor declared the motion carried and said Ordinance No. 636: Golf Carts amended and approved, this 7th day of June, 2022.

APPROVED:



George L. Bass, Mayor

ATTEST:



Stacey Dahl, City Clerk

EXHIBIT A

ARTICLE XIX. - GOLF CARTS

Sec. 34-613. - 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:

City means the City of Long Beach, Mississippi.

Golf cart means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of use that exceeds speeds of 25 miles per hour and is equipped with the safety equipment as required under 49 CFR 571.500.

Golf cart and low speed vehicle and motorized vehicle within this article will be considered interchangeable, meaning the same in most cases.

Governing authorities means the Mayor and Board of Aldermen of the City of Long Beach, Mississippi.

Low speed vehicle means any electric or gasoline powered vehicle having a top speed greater than 20 mph but less than 25 mph and is equipped with safety equipment as required under 49 CFR 571.500. (Ord. No. 636, art. 1, 6-19-2018)

Sec. 34-614. - Operational location restrictions.

Crossing Highway 90 to the south or north is authorized at intersection of Highway 90 and Jeff Davis Avenue only.

Sec. 34-615. - Golf cart operational requirements.

- (a) The owner of every low speed vehicle and golf cart to be operated, as authorized under this article, on a public city street shall cause such vehicle to be registered with the city at the permit office before operating on any public city street. Upon such registration and satisfactory vehicle inspection, the city police department shall issue a numerical identification decal to the owner and shall maintain a record of each identification number, along with the name and address of the registered owner. The identification decal shall be affixed on the left rear fender area of the vehicle so as to be fully visible when the vehicle is in operation. An annual registration fee in the amount of \$100.00 shall be payable at the time of registration and the registration shall be effective for one (1) year from the date of issuance. If the vehicle is transferred to another owner for operation in the city, the registration will not be transferred to the new owner. A new decal must be obtained before it is operated on any public city street and a registration fee shall be paid to the city.
- (b) The exhaust system of every registered vehicle which is powered by a gasoline engine shall be maintained in proper working condition. It is unlawful for any registered vehicle to be operated on any city street, on which any device installed thereon by the manufacturer for the purpose of controlling exhaust emissions, to be removed or altered so as to interfere with its normal operation.
- (c) Operation of motorized vehicles in the city shall comply in every respect with the requirements of state law, including, without limitation, the provisions of 49 CFR 571.500, and all other statutory regulations applicable to vehicular traffic and safety equipment.

- (d) As a minimum, each low speed vehicle shall be equipped with:
- (1) Headlamps;
 - (2) Front and rear turn signal lights;
 - (3) Tail lights;
 - (4) Stop lights;
 - (5) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
 - (6) 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;
 - (7) A parking brake;
 - (8) A horn;
 - (9) A Type 1 or Type 2 seat belt assembly conforming to section 571.209, Federal Motor Vehicle Safety Standard No. 209.
- (e) Any person operating a low speed vehicle or golf cart on the public roads and streets must have in his possession a valid driver's license or temporary driver's permit and proof of financial responsibility as required under MCA 1972, § 63-15-1 et seq.
- (f) Motorized vehicles shall not be operated on sidewalks in the city.
- (g) A motorized vehicle may be operated on any street within the city for which the posted speed limit is 25 miles per hour or less.
- (h) Notwithstanding any other provision of law to the contrary, when operated by a person participating in a parade permitted by the city, low speed vehicles and golf carts may be operated on the permitted route of the parade while participating in the parade.

(Ord. No. 636, art. 3, 6-19-2018)

Sec. 34-616. - Traffic laws applicable to golf cart operation.

A low speed vehicle or golf cart is considered a motor vehicle and all traffic laws and fines apply including offenses such as DUI and reckless driving. All safety equipment must be properly maintained or traffic tickets/fines may apply. Any person who is convicted of violating the provisions of this article or any ordinance of the city on any act that is prohibited or is made or declared to be unlawful or an offense, or whenever in such code or ordinance, the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punished by a fine not exceeding \$1,000.00, by confinement or confinement at labor for a term not exceeding 30 days, any or all of such penalties in the discretion of the municipal judge.

(Ord. No. 636, art. 4, 6-19-2018)

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Stacey Dahl, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #659 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 7th day of June, 2022, as the same appears of record in Ordinance Book #9, pages _____, inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 7th day of June, 2022.



Stacey Dahl
Stacey Dahl, City Clerk