

after deadline  
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ORDINANCE NO. 631-07-2018  
CITY OF BAY ST. LOUIS, MISSISSIPPI

AN ORDINANCE OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI,  
TO ALLOW THE OPERATION OF GOLF CARTS  
ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY.

WHEREAS, the Mississippi Legislature passed Senate Bill 3026 during the 2018 regular session. See Exhibit "A" attached hereto; and

WHEREAS, Senate Bill 3026 allows the legal use of golf carts on public roads and streets within the City of Bay St. Louis with a speed limit of twenty-five (25) miles per hour or less; and

WHEREAS, the City of Bay St. Louis desires to pass an ordinance to regulate the lawful operation of Golf Carts and Low-speed Vehicles, as described herein, on public roads and streets within city limits; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY ST. LOUIS AS FOLLOWS:

SECTION 1. Chapter 82, Article VIII is hereby created to read as follows:

**Sec. 82-425. Definitions.** The following term and phrase, when used in this chapter, shall have the meaning ascribed to it in this section, except where the context clearly indicates a different meaning:

*Golf Cart* means a motor vehicle that is designated and manufactured for operation on a golf course for sporting and recreational purposes and that is not capable of exceeding speeds of twenty-five (25) miles per hour and is equipped with a parking brake, head lamps, tail lamps, seat belts, rear view mirror, horn, a Reflective Triangle as defined herein, and front and rear turn signals.

*Low-speed Vehicle* means any four-wheeled electric or gasoline-powered vehicle is

Exhibit "J"  
July 24, 2018

capable of a top speed greater than twenty (20) miles per hour, but less than twenty-five (25) miles per hour and is equipped with a parking brake, head lamps, tail lamps, seat belts, rear view mirror, horn, a Reflective Triangle as defined herein, and front and rear turn signals.

*Reflective Triangle* is a reflective “slow moving vehicle” sign that is mounted to the rear of the Golf Cart or Low-speed Vehicle and is clearly visible at all times. The Reflective Triangle must be a minimum of 12 inches by 12 inches.

**Sec. 82-426. Areas of City of Bay St. Louis where Golf Carts and Low-speed Vehicles may be used; requirements for drivers of Golf carts and Low-speed Vehicles; operation of Golf carts and Low-speed Vehicles; and violation of traffic laws.**

- (1) Golf carts and Low-speed Vehicles may only be operated on public roads and streets with a speed limit of twenty-five (25) miles per hour or less.
- (2) Drivers are required to operate Golf carts and Low-speed Vehicles only in the outside lane of multi-lane streets and roads, when applicable.
- (3) Any person operating a Golf cart or Low-speed Vehicles on City public roads and streets must have in his or her possession a valid driver’s license from Mississippi or another state, proof of insurance, as per Section 63-7-91, Mississippi Code of 1972, and must also follow the applicable requirements of Section 63-15-1, *et seq.*, Mississippi Code of 1972.
- (4) Violation of state or local traffic laws and/or regulations of this Ordinance may result in issuance of traffic citations in the same manner as if the infraction occurred while operating a vehicle.
- (5) Golf carts may only be parked in the same manner and at the same place designated for parking of motor vehicles or in parking spaces specifically dedicated for Golf Cart or Low-speed Vehicle.

**Sec. 82-427. U.S. Highway 90 Intersections Which Allow for the crossing of Golf Carts or Low-speed Vehicles**

Golf Carts and Low-speed Vehicles may not be operated on U.S. Highway 90 or Mississippi Highway 603. The following are the ONLY intersections which are equipped with red lights that Golf Carts and Low-speed Vehicles will be allowed to cross over U.S. Highway 90:

- a) Signalized intersection at Highway 90 and Beach Boulevard,
- b) Signalized Intersection at Highway 90 and Dunbar Avenue,
- c) Signalized Intersection at Highway 90 and Main Street/Blue Meadow Road,
- d) Signalized Intersection at Highway 90 and Drinkwater Road,
- e) Signalized intersection at Highway 90 and Washington Street, and
- f) Signalized intersection at Highway 90 and Bouslog Street.

**Sec. 82-427. Registration of Golf cart of Low-Speed Vehicles with City**

- a) The owner of every Golf Cart or Low-speed Vehicle to be operated on a public road or street shall be required to register the vehicle with the City of Bay St. Louis by September 30 of each year. See Golf Cart Registration Form as Exhibit A.
- b) The owner shall sign an acknowledgement that he or she has read and understands the provisions of this Ordinance and certifies that the Golf Cart or Low-speed Vehicle is in compliance with all requirements of this Ordinance.
- c) An initial registration fee of \$50.00 for each Golf Cart or Low-speed Vehicle shall be payable at the time of registration and the registration shall be valid from October 1 to

September 30. Registration occurring midyear is effective only until September 30 and a proration or adjustment will not be made.

- d) Each year thereafter, the Owner of each Golf Cart or Low-speed Vehicle shall be required to renew the registration by submitted a Golf Cart Registration Form and payment of \$50.00 renewal fee on or before September 30 of each year.
- e) The City will issue to the Owner of each Golf Cart or Low-speed Vehicle, a Decal to be displayed in the center of the Reflective Triangle located on the rear of the Golf Cart or Low-speed Vehicle. The decal must remain visible at all times.
- f) The Decal is non-transferrable meaning upon sale or transfer of the Golf Cart or Low-speed vehicles, the new owner must register the vehicle with the City within 15 days of the transfer of ownership. A new Decal will be issued to the new owner.
- g) Operating a Golf Cart or Low-speed Vehicle without a decal, an expired decal or a decal registered to another owner or vehicle shall constitute a violation of this Ordinance and subject the Owner to a fine of \$100.00 per occurrence.
- h) The City may refuse to register and issue a permit for the operation of a Golf Cart or Low-speed Vehicle, or may revoke a previously issued permit, if the registered Golf Cart or Low-speed Vehicle and/or the Owner of the Golf Cart of Low-Speed Vehicle is involved in three or more violations of this Ordinance within a one-year period. Said revocation and/or denial of a permit shall be effective for up to one year.
- i) The registration fee imposed under this section shall be deposited into the municipal general fund.

Sec. 82-427. LIABILITY DISCLAIMER

- a) This Ordinance is adopted to address the interest of public safety. Golf Cart and/or Low-

speed Vehicles are not designed or manufactured to be used on the public streets and the City is no way advocates or endorses their operation on public streets or roads. The City, by regulations this operation, is addressing obvious safety issues, and adoption of this Ordinance is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this Ordinance. All person who operate or ride upon Golf Carts or Low-speed Vehicles on public streets or road do so at their own risk and peril, and must be observant of an attentive to the safety of themselves and others, including their passengers, other motorist, bicyclists and pedestrians. The City has no liability under any theory of liability and the City assumes no liability, for permitting Golf Carts or Low-speed Vehicles to be operated on the public streets and road under this legislation granted by the State Legislature.

**SECTION 2.** This ordinance shall become effective as provided by law.

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42436294.v2  
43045120.v2

After being reduced to writing, the foregoing Ordinance amendment was read and considered, section by section, and then as a whole, whereupon Councilman Seal moved for its adoption, and after a second by Councilman Smith, the following roll call vote was had:

Councilman Doug Seal	✓YEA /	NAY
Councilman Gene Hoffman	✓YEA /	NAY
Councilman Jeffrey Reed	✓YEA /	NAY
Councilman Larry Smith	✓YEA /	NAY
Councilman Buddy Zimmerman	✓YEA /	NAY
Councilman Josh DeSalvo	✓YEA /	NAY
Councilman Gary Knoblock	✓YEA /	NAY

Passed by the City Council of the City of Bay Saint Louis on the 24<sup>th</sup> day of July, 2018.

#### ATTESTATION

I, Lisa Tilley, Clerk of Council for the City of Bay Saint Louis, Mississippi, do hereby attest that the foregoing amendment of Ordinance Number 631-07-2018 was approved and adopted in the public meeting of the City Council held on July 24, 2018 a quorum being present, in the City Council Conference Chambers and said City Council being the duly elected, qualified, and acting governing body of Bay Saint Louis.

Given under my hand and the official seal of the City of Bay Saint Louis, on this, the 8<sup>th</sup> day of August, 2018.


  
\_\_\_\_\_  
Lisa Tilley, Clerk of Council  
City of Bay Saint Louis



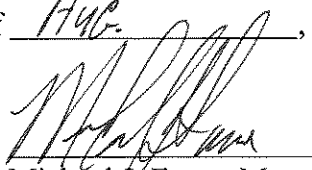
#### CERTIFICATION

I, Sissy Gonzales, Municipal Clerk for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing amendment of Ordinance Number 631-07-2018 was approved and adopted in the public meeting of the City Council held on July 24, 2018 a quorum being present, in the City Council Conference Chambers and to be published according to Mississippi Code, said Council being the duly elected, qualified, and acting governing body of Bay St. Louis.

Presented by me to the Mayor on this, the 8<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Sissy Gonzales, Municipal Clerk  
City of Bay Saint Louis

Approved and signed by me on this, the 8 day of Aug., 2018.

  
\_\_\_\_\_  
Michael J. Favre, Mayor  
City of Bay Saint Louis

**THE CITY OF BAY ST. LOUIS, MISSISSIPPI**

*after meeting*

**GOLF CART REGISTRATION FORM**

**AUG 03 2018**

BY: *let email-  
HS  
mts 7-24-18*

<b>Name</b>	
<b>Address</b>	
<b>City, State, Zip</b>	
<b>Email Address</b>	
<b>Phone #</b>	
<b>Driver's License No:</b>	
<b>Affidavit Executed</b>	

**Permittee acknowledges the following in order to receive this permit:**

A copy of "Ordinance of the City of Bay St. Louis, Mississippi to Allow the Operation of Golf Carts on Certain Public Roads and Streets within the City: Chater 82, Acticle VIII" has been provided to the Permittee. All persons who operate or ride in golf carts or low-speed vehicles, as defined in Mississippi Senate Bill 3026 in the 2018 Regular Legislative Sessions roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. The City of Bay St. Louis has no liability under any theory of law for permitting golf carts to be operated on City streets or roads. Golf carts and low-speed vehicles, as defined in Senate Bill 3026, are only permitted to be operated on roads within the City's municipal boundaries except for prohibited streets.

Acknowledge by:

\_\_\_\_\_  
Permittee/Applicant Signature

**For Staff Use Only:**

- Golf Cart Registration Form Executed
- Golf Cart Registration Affidavit Notarized
- Proof of insurance provided
- Valid Driver's License
- \$50.00 Registration Fee Paid
- \$25.00 Renewal Registration Fee Paid
- City Issued Permit Number:

**GOLF CART REGISTRATION  
AFFIDAVIT**

*after meeting*  
**AUG 03 2018**  
*Get email - HS*  
*mtg 7-24-18*

**State of Mississippi**  
**County of Hancock**

**BEFORE ME**, the undersigned Notary, \_\_\_\_\_ *[name of Notary*  
*whom affidavit is sworn]*, on this \_\_\_\_\_ *[day of month]* day of \_\_\_\_\_ *[month]*, 20\_\_\_\_,  
personally appeared \_\_\_\_\_ *[name of affiant]*, known to  
me to be of lawful age, who being by me first duly sworn, on \_\_\_\_\_ *[his or her]* oath, deposes and  
says:

The Golf Cart that is being registered meets all requirements for such vehicles in State law and specifically those detailed in Mississippi Statutes including, but not limited to, those contained Section 63-7-91, Mississippi Code of 1972 and the City of Bay St. Louis Code Sections 82-426 to 428.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Name of Affiant

COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_ day of \_\_\_\_\_, 2018, within my jurisdiction, the within named \_\_\_\_\_, who acknowledged that he executed the above and foregoing durable general power of Attorneys.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

[AFFIX NOTARIAL SEAL]  
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