

11

**AGENDA ITEM
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**

Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

1/16/2024

BCC MEETING DATE

TO: Joy Andrews, County Administrator

DATE: November 27, 2023

FROM: Kealey West, Office of County Attorney

PHONE: 209-0816

SUBJECT OR TITLE: Second Reading of Proposed Amendment to St. Johns County Ordinance No. 2018-42 regulating the operation of Golf Carts, Low Speed Vehicles, and Mini Trucks within St. Johns County.

AGENDA TYPE: Business Item, Ordinance

BACKGROUND INFORMATION:

At its August 1, 2023 meeting, the Board of County Commissioners authorized the Office of County Attorney to prepare a proposed amendment to Ordinance 2018-42 to conform to recent changes in state law addressing the operation of Golf Carts on all public roads in Florida. The proposed amendment requires anyone 18 years or younger who operates a golf cart to possess a valid learners or driver license and anyone 18 years or older to possess a valid form of identification.

1. IS FUNDING REQUIRED? No

2. IF YES, INDICATE IF BUDGETED. No

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE:

SUGGESTED MOTION/RECOMMENDATION/ACTION:

Motion to enact Ordinance 2024- _____, amending Ordinance No. 2018-42, the St. Johns County Golf Cart, Low Speed Vehicles, and Mini Trucks Ordinance.

For Administration Use Only:

Legal: DM 12/1/2023

OMB: JDD 12/1/2023

Admin: Brad Bradley 12/5/2023

ORDINANCE NO. 2024-___

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, MAKING CERTAIN FINDINGS; AMENDING ST. JOHNS COUNTY ORDINANCE 2018-42 REGULATING THE OPERATION OF GOLF CARTS, LOW-SPEED VEHICLES, AND MINITRUCKS ON COUNTY ROADS AND SIDEWALKS, SPECIFICALLY THIS ORDINANCE AMENDS SECTION 6 (GOLF CART, LSV, AND MINI TRUCK OPERATION AND EQUIPMENT) ST. JOHNS COUNTY ORDINANCE NO. 2018-42 TO COMPLY WITH SECTION 316.212, FLORIDA STATUTES REGARDING CERTAIN REQUIREMENTS TO OPERATE A GOLF CART ON PUBLIC ROADS OR STREETS; ADDRESSING BUSINESS IMPACT ESTIMATE REQUIRED BY SECTION 125.66, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on or about July 17, 2018, the Board of County Commissioners of St. Johns County, Florida (“Board”) enacted Ordinance No. 2018-42 regarding the operation of golf carts, low-speed vehicles, and mini-trucks on County roads and sidewalks consistent with the provisions of section 316.212, Florida Statutes; and

WHEREAS, Chapter 2023-67 Laws of Florida amended section 316.212, *Florida Statutes* to establish age restrictions and certain requirements for operating a golf cart on public roads and streets in the state for Florida; and

WHEREAS, to comply with state law, the County must amend its Ordinance; and

WHEREAS, pursuant to section 125.66, Florida Statutes a business impact estimate is not required for ordinances required to comply with state law; and

WHEREAS, the Board finds this amendment to St. Johns County Ordinance is necessary to conform to state law and promotes and enhances the health, safety and welfare of the citizens of the County and the public in general; now, therefore

BE IT ORDAINED by the Board of County Commissioners of St. Johns County, Florida:

Section 1. Findings. The above recitals are hereby adopted as legislative findings by the St. Johns County Board of County Commissioners and incorporated and made a part of this Ordinance.

Section 2. Amending Ordinance No. 2018-42. St. Johns County Ordinance No. 2018-42, is hereby amended to amend Section 6 (Golf Cart, LSV, and Mini Truck Operation and Equipment) to read as follows:

Ordinance No. 2018-42

* * *

Section 6. Golf Cart, LSV, and Mini Truck Operation and Equipment.

A. No Golf Cart, LVS, on Mini Truck shall be operated in a reckless or careless manner upon any County Road or sidewalk.

* * *

G. A Golf Cart may not be operated upon a Designated County Road or Multi-Use Path by a any person:

(1) Who is under 18 years of age unless he or she possess a valid learner's driver license or a valid driver license.

(2) Who is 18 years of age or older unless he or she possess a valid form of government-issued photographic identification the age of 14.

H. The operation of a Golf Cart or LSV upon a Multi-Use Path shall be restricted to a maximum speed of 15 miles per hour.

I. Any person operating a Golf Cart or LSV upon a Multi-Use Path shall yield the right-of-way, slowing down or stopping if need be, to a pedestrian or bicycle upon the Multi-Use-Path.

J. Any person operating an LSV or Mini Truck must have in his or her possession a valid driver license.

~~K. Any person who does not hold a valid driver license must have in his or her possession photographic identification while operating a Golf Cart upon a Designated County Road or Multi Use Path.~~

~~L. No person who does not hold a valid driver license and who is under 17 years of age may operate a Golf Cart upon a Designated County Road or Multi Use Path after 11 p.m. and before 6 a.m.~~

~~M. No person who does not hold a valid driver license and who is 17 years of age~~

~~may operate a Golf Cart upon a Designated County Road or Multi-Use Path after 1 a.m. and before 5 a.m.~~

KN. A Golf Cart operating on a Designated County Road or Multi-Use Path must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. Additionally, a Golf Cart or LSV operating on a Multi-Use Path must be equipped with a horn or other warning device required by section 316.271, Florida Statutes.

LQ. An LSV must be equipped with headlamps, stop lamps, turn signal lamps, taillamps; reflex reflectors, parking brakes; rearview mirrors, windshields, seat belts, and vehicle identification numbers.

MP. An LSV or Mini Truck must be registered and insured in accordance with section 302.02, Florida Statutes, and titled pursuant to Chapter 319, Florida Statutes.

NQ. The County may use Golf Carts and LSVs upon any County Road or sidewalk in accordance with the provisions of this Section 6; as applicable, and of section 316.2126(1) and (4), Florida Statutes.

OR. Notwithstanding any provision of this Ordinance to the contrary, any Authorized Emergency Vehicle may operate on any County Road or sidewalk while carrying out official duties and in accordance with section 316.21265, Florida Statutes.

PS. In addition to the above provisions, the Florida Uniform Traffic Control Law (Chapter 316, Florida Statutes) shall apply where applicable; as per Florida law.

Section 3. Business Impact Estimate. This Ordinance is required to comply with amendments to section 316.212, Florida Statutes; therefore, a business impact estimate is not required pursuant to section 125.66(3)(c)1., Florida Statutes.

Section 4. Effective Date. This Ordinance shall take effective upon a certified copy being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this ____ day of _____, 2024.

**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

By: _____
Sarah Arnold, Chair

ATTEST: Brandon J. Patty,
Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk

LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Brandon Patty, Clerk of Circuit Attn: Artricia Allen Deputy Cler
CLERK OF THE COURTS
Minutes And Records
500 San Sebastian View

Saint Augustine FL 32084

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

01/03/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/03/2024

Keegan Moran

Legal Clerk

[Signature]

Notary, State of WI, County of Brown

8-25-26

My commission expires

Publication Cost: \$118.32

Order No: 9638472

of Copies:

Customer No: 764114

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NOTICE OF PUBLIC HEARING OF THE

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing to consider adoption of the following ordinance at a regular meeting on Tuesday, January 16, 2024, at 9:00 a.m. in the County Auditorium of the County Administration Building, 500 San Sebastian View, St. Augustine, Florida:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, MAKING CERTAIN FINDINGS; AMENDING ST. JOHNS COUNTY ORDINANCE 2018-42 REGULATING THE OPERATION OF GOLF CARTS, LOW-SPEED VEHICLES, AND MINITRUCKS ON COUNTY ROADS AND SIDEWALKS, SPECIFICALLY THIS ORDINANCE AMENDS SECTION 4 (GOLF CART, LSV, AND MINI TRUCK OPERATION AND EQUIPMENT) ST. JOHNS COUNTY ORDINANCE NO. 2018-42 TO COMPLY WITH SECTION 316.212, FLORIDA STATUTES REGARDING CERTAIN REQUIREMENTS TO OPERATE A GOLF CART ON PUBLIC ROADS OR STREETS; ADDRESSING BUSINESS IMPACT ESTIMATE REQUIRED BY SECTION 125.66, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by interested parties prior to the said public hearing. Please take note that the proposed ordinance is subject to revision prior to hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact ADA Coordinator, at (904) 209-0400 or at the Facilities Management Department, 2416 Dobbs Road, St. Augustine, FL 32086. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
BRANDON J. PATTY, ITS CLERK
By: Yvonne King, Deputy Clerk

MARIAH VERHAGEN
Notary Public
State of Wisconsin