

ORDINANCE NO. 06-04

AN ORDINANCE DESIGNATING CERTAIN PUBLIC STREETS IN THE CITY OF FORT GAINES FOR THE COMBINED USE OF MOTORIZED CARTS AND REGULAR VEHICULAR TRAFFIC; AND FOR OTHER PURPOSES.

WHEREAS, the public streets of the City of Fort Gaines are largely designated for traffic 35 miles per hour or slower; and

WHEREAS, the flow of such streets will not be obstructed or impeded by the use of motorized carts; and

WHEREAS, motorized carts may save a number of legitimate needs to the public including tourism, fuel conservation, reduction in noise pollution, among others; and

WHEREAS, O.C.G.A. § 40-6-331 permits a local governing authority to, by ordinance, permit the use of motorized carts on certain public streets or portions thereof and the conditions under which they may be used;

NOW, THEREFORE, BE ORDAINED by the City Council of the City of Fort Gaines, and it is hereby ordained by authority of same:

Section 1. Chapter 78 of the Code of Ordinances shall be amended by adding a section entitled "Sec. 78-7. Motorized carts", which shall read as follows:

- (a) For the purposes of this ordinance, "Motorized Carts" shall mean every vehicle having no fewer than three wheels and an unladen weight of no less than 1,300 lbs which cannot operate at more than 20 miles per hour.
- (b) Motorized Carts may be operated on city streets where the posted speed limit is less than 35 miles per hour.
- (c) Motorized Carts may not be operated on State Highway 39 or State Highway 37, even in areas where the posted speed limit is 35 miles per hour or less, except that these highways may be crossed in designated areas specified below.
- (d) Motorized Carts may cross State Highways which are under the Jurisdiction of the Department of Transportation only at designated areas and may not cross Highway 39 (Hancock Street) or Highway 37 (Hartford Road), even where these Highways come through town, until such a time as the Department of Transportation designates such crossing areas.
- (e) Motorized Carts may be operated on city streets only during daylight

hours.

- (f) Motorized Carts shall not be required to meet any requirements of general law as to registration, inspection, or licensing.
- (g) Operators of motorized carts on city streets must have a valid driver's license or learner's permit and shall be subject to the Uniform Rules of the Road and all other State and Local traffic regulations applicable to a driver of any other motorized vehicle.

Section 2. All ordinances or parts of ordinances in conflict herewith are repealed.

So ORDAINED, this 11th day of JULY, 2006.

CITY OF FORT GAINES

By: 

Samuel T. Johnson
Mayor Pro Tem

Attest: 

Marion Lindsey, City Clerk