

NOTICE OF INTENTION TO ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Okaloosa County, Florida, on November 2, 2021, at 2:30 P.M. or soon thereafter, at the Board of County Commission Chambers in the Okaloosa County Courthouse, 101 E. James Lee Blvd., Crestview, Florida 32539, will hold a public hearing to consider adopting an ordinance, the title and substance of said proposed ordinance being:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, CREATING A NEW SECTION 21-60.4, CHAPTER 21, ARTICLE III OF THE OKALOOSA COUNTY CODE OF ORDINANCES, AUTHORIZING THE USE OF GOLF CARTS WITHIN DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW; MAKING FINDINGS; ESTABLISHING CERTAIN RESTRICTIONS FOR THE USE OF GOLF CARTS WITHIN DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Offices of the County Commission located at Suite 100, Okaloosa County Administrative Building, 1250 N. Eglin Parkway, Shalimar, Florida 32579 and at Suite 302, 302 N. Wilson Street, Crestview, Florida 32536. Those offices can be contacted by telephone at 850-651-7105.

If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Okaloosa County adheres to the Americans With Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the County Commission Offices at the above address and must be made at least 48 hours in advance of the hearings to provide the requested service.

1
2 **ORDINANCE NO. 21-__**
3

4 **AN ORDINANCE OF THE BOARD OF COUNTY**
5 **COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA,**
6 **CREATING A NEW SECTION 21-60.4, CHAPTER 21, ARTICLE**
7 **III OF THE OKALOOSA COUNTY CODE OF ORDINANCES,**
8 **AUTHORIZING THE USE OF GOLF CARTS WITHIN**
9 **DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW;**
10 **MAKING FINDINGS; ESTABLISHING CERTAIN**
11 **RESTRICTIONS FOR THE USE OF GOLF CARTS WITHIN**
12 **DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW;**
13 **PROVIDING FOR CODIFICATION, SEVERABILITY AND AN**
14 **EFFECTIVE DATE.**
15

16 **WHEREAS**, section 316.212, Florida Statutes, authorizes counties to designate certain county
17 roads for lawful operation of golf carts if the County first determines that golf carts may travel on or
18 cross such county roads upon considering the speed, volume and character of the motor vehicle using
19 those county roads;
20

21 **WHEREAS**, the Board of County Commissioners (the “Board”) has determined, after
22 considering factors including speed, volume, and the character of motor vehicle traffic within certain
23 designated areas of unincorporated Crestview that golf carts may safely travel on or cross certain
24 public roads and streets subject to the restrictions contained herein;
25

26 **WHEREAS**, section 316.212, Florida Statutes, provides that appropriate signs shall be posted
27 to indicate that golf cart operation is allowed;
28

29 **WHEREAS**, the Board believes that regulations proposed in this Ordinance promote and
30 enhance the health, safety, welfare and quality of life of its citizens.
31

32 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
33 **COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:**
34

35 **SECTION 1. RECITALS.** The above recitals are incorporated by reference herein.
36

37 **SECTION 2. CREATION OF SECTION 21-60.4 OF THE OKALOOSA COUNTY CODE OF**
38 **ORDINANCES.** The Board hereby creates a new section 21-60.4 of the Okaloosa County Code of
39 Ordinances, to read as follows:
40

41 Sec. 21-60.4. Use of golf carts within designated areas of unincorporated Crestview.

42
43 Golf carts may travel on county-maintained roads within certain designated areas in unincorporated
44 Crestview as shown in Exhibit A with the following restrictions:

- 45
- 46 (1) A golf cart is defined as a motor vehicle that is designed and manufactured for
47 operation on a golf course for sporting or recreational purposes and that is not capable of
48 exceeding speeds of 20 miles per hour.
 - 49
 - 50 (2) A golf cart may be operated on county-maintained roads only between the hours of 30
51 minutes before sunrise and 30 minutes after sunset.
 - 52
 - 53 (3) A golf cart may only be operated upon a residential roadway with a posted speed limit
54 of 25 mph or less that is clearly posted for use by golf carts.
 - 55
 - 56 (4) The number of passengers shall be restricted to the number of seats on the golf cart. All
57 passengers shall remain seated during operation of the golf cart. No person shall ride on the
58 exterior of the golf cart.
 - 59
 - 60 (5) A golf cart may not be operated upon Live Oak Church Road east of the Page II
61 subdivision. A golf cart may not be operated upon Meadow Lake Drive west of the Page II
62 subdivision unless permission is granted by the private entity that owns Meadow Lake Drive.
63 Signs shall be posted to notify drivers of this restriction.
 - 64
 - 65 (6) Golf carts must be equipped with efficient brakes, operable headlights, reliable steering
66 apparatus, safe tires, a rearview mirror, and red reflector warning devices both front and rear.
 - 67
 - 68 (7) Golf cart operators must obey all traffic regulations applicable to motor vehicles and
69 must have a valid driver's license or be over the age of 14 with direct supervision of a parent or
70 legal guardian who holds a valid driver's license and is over the age of 21.
 - 71
 - 72 (8) No person shall drive any golf cart upon any publicly owned area not designated for
73 motor vehicle use or not specifically designated for golf cart use, including but not limited to
74 state roads, walking trails, and pedestrian sidewalks.

75
76 **SECTION 3. INCLUSION INTO THE OKALOOSA COUNTY CODE OF ORDINANCES.** It
77 is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall
78 become and be made a part of the Okaloosa County Code of Ordinances, and that the sections of this
79 Ordinance may be renumbered to accomplish such intent.

81 **SECTION 4. SEVERABILITY.** Should any section or provision of this Ordinance or any portion
82 thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be
83 invalid, such decision shall not affect the validity of the remainder hereof other than the part declared
84 to be invalid.

85
86 **SECTION 5. EFFECTIVE DATE.** This Ordinance shall be effective as provided by law.

87
88 **PASSED AND DULY ADOPTED** in this ____ day of _____, 2021.

89
90
91 BOARD OF COUNTY COMMISSIONERS OF
92 OKALOOSA COUNTY, FLORIDA

93 ATTEST:

94
95
96 _____
97 J.D. Peacock II, Clerk

98 _____
99 Carolyn N. Ketchel
100 Chairman

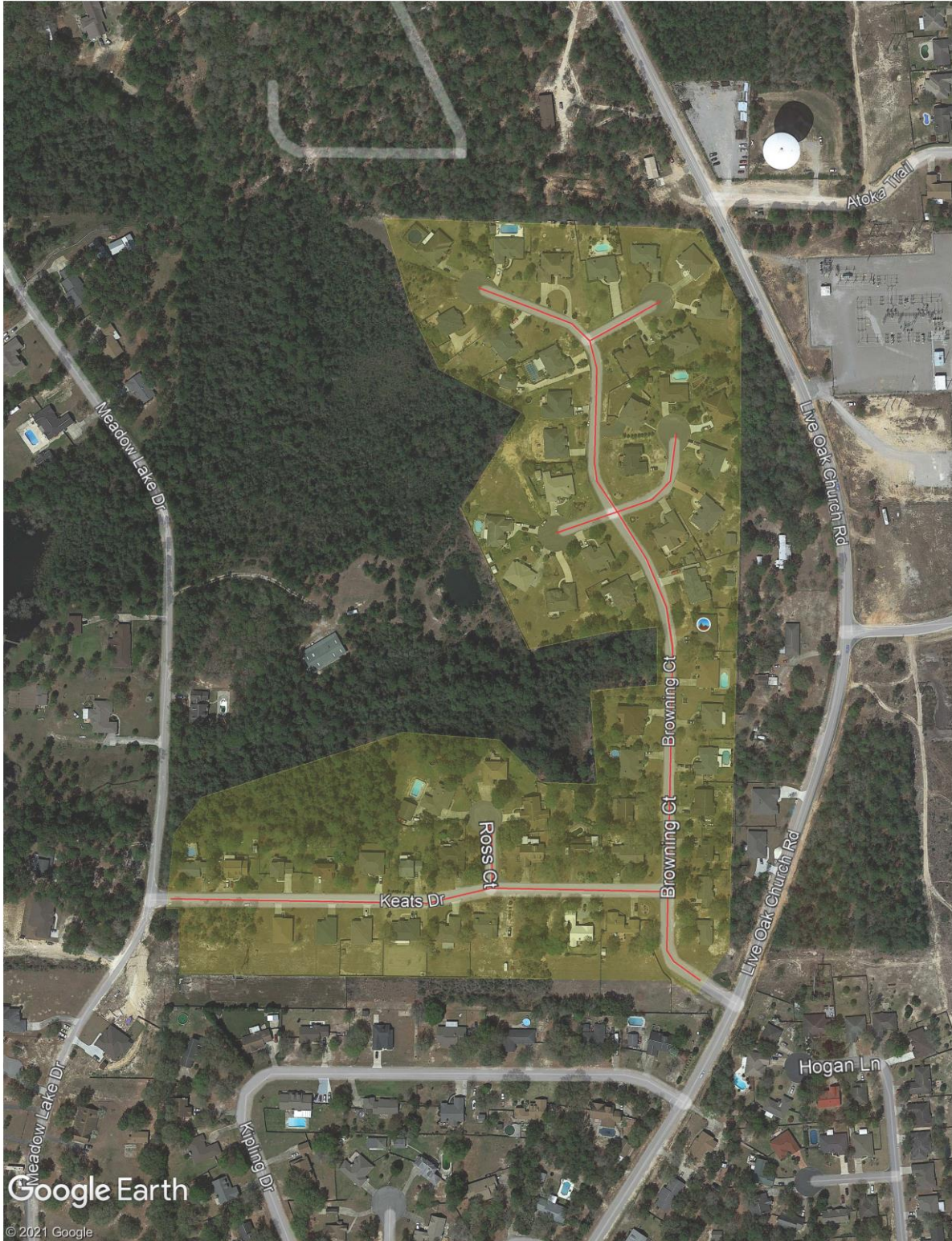
101 APPROVED AS TO FORM:

102
103
104
105 _____
106 Lynn M. Hoshihara
107 County Attorney

108
109

110
111

EXHIBIT A



112

ORDINANCE NO. 21-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, CREATING A NEW SECTION 21-60.4, CHAPTER 21, ARTICLE III OF THE OKALOOSA COUNTY CODE OF ORDINANCES, AUTHORIZING THE USE OF GOLF CARTS WITHIN DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW; MAKING FINDINGS; ESTABLISHING CERTAIN RESTRICTIONS FOR THE USE OF GOLF CARTS WITHIN DESIGNATED AREAS OF UNINCORPORATED CRESTVIEW; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, section 316.212, Florida Statutes, authorizes counties to designate certain county roads for lawful operation of golf carts if the County first determines that golf carts may travel on or cross such county roads upon considering the speed, volume and character of the motor vehicle using those county roads;

WHEREAS, the Board of County Commissioners (the “Board”) has determined, after considering factors including speed, volume, and the character of motor vehicle traffic within certain designated areas of unincorporated Crestview that golf carts may safely travel on or cross certain public roads and streets subject to the restrictions contained herein;

WHEREAS, section 316.212, Florida Statutes, provides that appropriate signs shall be posted to indicate that golf cart operation is allowed;

WHEREAS, the Board believes that regulations proposed in this Ordinance promote and enhance the health, safety, welfare and quality of life of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:

SECTION 1. RECITALS. The above recitals are incorporated by reference herein.

SECTION 2. CREATION OF SECTION 21-60.4 OF THE OKALOOSA COUNTY CODE OF ORDINANCES. The Board hereby creates a new section 21-60.4 of the Okaloosa County Code of Ordinances, to read as follows:

Sec. 21-60.4. Use of golf carts within designated areas of unincorporated Crestview.

Golf carts may travel on county-maintained roads within certain designated areas in unincorporated Crestview as shown in Exhibit A with the following restrictions:

- (1) A golf cart is defined as 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 exceeding speeds of 20 miles per hour.
- (2) A golf cart may be operated on county-maintained roads only between the hours of 30 minutes before sunrise and 30 minutes after sunset.
- (3) A golf cart may only be operated upon a residential roadway with a posted speed limit of 25 mph or less that is clearly posted for use by golf carts.
- (4) The number of passengers shall be restricted to the number of seats on the golf cart. All passengers shall remain seated during operation of the golf cart. No person shall ride on the exterior of the golf cart.
- (5) A golf cart may not be operated upon Live Oak Church Road east of the Page II subdivision. A golf cart may not be operated upon Meadow Lake Drive west of the Page II subdivision unless permission is granted by the private entity that owns Meadow Lake Drive. Signs shall be posted to notify drivers of this restriction.
- (6) Golf carts must be equipped with efficient brakes, operable headlights, reliable steering apparatus, safe tires, a rearview mirror, and red reflector warning devices both front and rear.
- (7) Golf cart operators must obey all traffic regulations applicable to motor vehicles and must have a valid driver's license or be over the age of 14 with direct supervision of a parent or legal guardian who holds a valid driver's license and is over the age of 21.
- (8) No person shall drive any golf cart upon any publicly owned area not designated for motor vehicle use or not specifically designated for golf cart use, including but not limited to state roads, walking trails, and pedestrian sidewalks.

SECTION 3. INCLUSION INTO THE OKALOOSA COUNTY CODE OF ORDINANCES. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Okaloosa County Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 4. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective as provided by law.

PASSED AND DULY ADOPTED in this ____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS OF
OKALOOSA COUNTY, FLORIDA

ATTEST:

J.D. Peacock II, Clerk

Carolyn N. Ketchel
Chairman

APPROVED AS TO FORM:

Lynn M. Hoshihara
County Attorney

EXHIBIT A

