

ORDINANCE NO. O2023-09.A

**AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES CHAPTER 82 – TRAFFIC AND VEHICLES, ARTICLE II. STOPPING, STANDING AND PARKING, SECTION 82-40.4- SAME– MOTORIZED CART REGISTRATION TO PROVIDE PROVISIONS RELATED TO OUTDOOR STORAGE AND DISPLAY OF CARTS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES**

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That CHAPTER 82 – TRAFFIC AND VEHICLES, ARTICLE II. STOPPING, STANDING AND PARKING – Section 82-40.4. Same - Motorized Cart Registration be amended by adding the underlined text as follows:

**Sec. 82-40.4. - Same—Motorized cart registration.**

- (a) A fee of \$15.00 to register each and every motorized cart for use on public roads will be charged by the City of Pooler to cover the costs of implementing and maintaining this article. It shall be the duty of every owner of a motorized cart that is operated on public roads, recreation paths, rights-of-way or other public property in the jurisdiction of the City of Pooler to register the motorized cart with the city within ten business days of the date of purchase, or upon establishing residency in Pooler. The registration shall remain in effect during the duration of the original owner. Upon sale or transfer a new registration will be required.
- (b) Registration with the City of Pooler shall include a record of the model, make, any vehicle identification number or serial number on such motorized cart, the name and address of the owner, a contact phone number, and any other such information as the city shall require, all of which shall be maintained by the Pooler Police Department.
- (c) Upon registration with the City of Pooler each motorized cart shall be issued a license decal from the city signifying such registration. The decals must be affixed according to the instructions provided by the Pooler Police Department at time of registration. Decal shall be visible from the front left "driver's side" of the motorized cart in such a manner as to be visible at all times and shall remain permanently with such motorized cart unless the motorized cart is sold or removed from operation.
- (d) The failure to have a current registration license decal affixed to a motorized cart for use on public roads, recreation paths, rights-of-way or other public property in the City of Pooler shall be a violation of this article and subject the owner of such motorized cart to the penalties set forth in section 82-41.
- (e) If the motorized cart for use on public roads, recreation paths, rights-of-way or other public property is not registered with the city within ten business days of purchase it shall be considered an unregistered motorized cart and subject the owner or operator of such motorized cart to penalties set forth in section 82-41. Furthermore, any motorized cart for use on public roads not registered within ten business days of purchase shall be assessed a late registration fee of \$50.00.
- (f) The decal issued by the city shall be non-transferrable from the motorized cart for which it was obtained.

- (g) Upon transfer of the motorized cart to the ownership of another person, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of \$15.00. If the registration is not transferred within ten business days it shall be considered an unregistered motorized cart and subject the owner of such motorized cart to penalties set forth in section 82-41. Furthermore, any motorized cart for use on public roads not registered within ten business days of purchase shall be assessed a late registration fee of \$50.00.
- (h) Motorized cart dealers and distributors, along with other commercial establishments, may rent motorized carts to the public for use on designated public roads, recreation paths, rights-of-way or other public property. Any motorized cart, either for sale or rent, shall not be stored, parked or displayed in a parking space or designated parking area of such business. Each such establishment renting motorized carts shall be required to register each such motorized cart in accordance with this section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 18 years of age. The registration fee and transfer fees and regulations, along with all licensing and operation regulations shall be consistent with the provisions of this article as pertains to motorized carts.
- (i) Only those persons 18 years of age and older may register a motorized cart. Motorized cart registration may be in one person's name only, and the registration form must be signed by that person.
- (j) Any owner or operator registering a motorized cart with the city agrees to abide by all of the requirements of state law and this code. By registering a motorized cart with the city the owner or operator verifies that the vehicle qualifies to be classified as such under state law and this code.
- (k) The city council may, at its discretion, and by resolution, waive registration requirements for special events of a limited duration to which out-of-city residents may bring motorized carts as participants. Such special events shall last no longer than two calendar days.

II

All ordinances or parts of ordinances in conflict with the ordinance are hereby repealed.

III

If any section, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

IV

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

1<sup>st</sup> Reading: 10/2/23

2<sup>nd</sup> Reading: 10/16/23

This 16<sup>TH</sup> day of OCTOBER, 2023.

CITY OF POOLER, GEORGIA

Rebecca C. Benton

Rebecca C. Benton, Mayor

Attest:

[Signature]

Kiley Fusco, City Clerk

Date: 10/16/23

