

**ORDINANCE NO. 2026-03**

**AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA ADOPTING A NEW ARTICLE VII OF CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY, ENTITLED "GOLF CART OPERATIONS ON MUNICIPAL STREETS"; PROVIDING FOR THE OPERATION OF GOLF CARTS AS DEFINED BY FLORIDA STATUTES 320.001 (22) ON MUNICIPAL STREETS; PROHIBITING THE OPERATION OF GOLF CARTS ON PROHIBITED STREETS AND OTHER AREAS; PROVIDING FOR OPERATIONAL AND EQUIPMENT REQUIREMENTS; PROVIDING FOR ADDITIONAL OPERATIONAL AND EQUIPMENT REQUIREMENTS FOR UNLICENSED DRIVERS; PROVIDING FOR PARKING REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A VOLUNTARY INSPECTION PROGRAM; PROVIDING FOR SEVERABILITY; REPEAL AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes Chapter 320.001 (22) defines a Golf Cart 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; and,

**WHEREAS**, Florida Statutes Chapter 316.212 provides the operation of golf carts is prohibited on roadways, however, Subsection (1) provides a golf cart may be operated only upon a municipal street that has been designated by a municipality, or a two-lane county road located within the jurisdiction of a municipality designated by that municipality, for use by golf carts; and,

**WHEREAS**, Florida Statutes Chapter 316.212 (1) also provides terms and conditions for the local government to designate roadways golf carts may be operated on, including that the speed, volume, and character of motor vehicle traffic using the roadways is appropriate for a shared use with golf carts; and,

**WHEREAS**, the City hired a consultant to perform a study regarding Golf Cart operation within the City; and,

**WHEREAS**, the operation of golf carts is not permitted on a state road and the Florida Department of Transportation (FDOT) Traffic Engineering Manual provides crossing a state road for access to golf courses adjoining both sides of the state road may be permitted through the Florida Department of Transportation (FDOT); and

**WHEREAS**, Florida Statutes Chapter 316.212 (8) (a) authorizes local

governments to enact ordinances related to the operation of golf carts on roads that is more restrictive than this statute, including requiring additional safety equipment on the golf cart and hours of operation and such additional restrictions may only apply to unlicensed drivers; and

**WHEREAS**, the Indian Harbour Beach City Council has determined a local ordinance authorizing golf carts on municipal streets, subject to the regulations contained in this Ordinance, and has considered the speed, volume, and character of the motor vehicle traffic on the municipal streets is acceptable.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA as follows:

**SECTION 1.** A new Article VII of Chapter 19 "Golf Cart Operations on Municipal Streets", of the Code of Ordinances of the City of Indian Harbour Beach is hereby adopted to read as follows:

'Chapter 19

TRAFFIC

. . .

**ARTICLE VII. Golf Cart Operations on Municipal Streets.**

**Sec. 19-150. – Authority, Scope and Purpose**

**The purpose of this ordinance is to provide for the allowance, regulations, and operation, as a shared use, of golf carts on municipal streets within the city consistent with Florida Statutes, Section 316.212.**

**Sec. 19-151 – DEFINITIONS.**

**For the purposes of this ordinance, the following shall mean:**

**Golf Cart:** means 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.

**City:** shall mean the City of Indian Harbour Beach.

**City Parks;** shall mean individually or collectively Gleason Park, Oars and Paddles Park, Algonquin Park, Bicentennial Park and Millennium Park.

**Prohibited Streets:** shall mean State Road 513 (South Patrick Drive), State Road A1A, and State Road 518 (Eau Gallie Boulevard), including the sidewalks and adjoining unpaved portion of any road right-of-way located within the jurisdictional boundaries of the City.

**Permitted Streets:** shall mean, for the purposes of this Ordinance, all municipal streets and roads within the city that are designated by the City as streets upon which golf Carts may be safely operated upon and which are not Prohibited Streets. Permitted Streets shall not include any abutting sidewalk or unpaved right of way of a Permitted Street. The following are considered Permitted Streets:

All public streets located in and withing the control of the City, except Prohibited Streets.

**Sec. 19-152 – AUTHORIZATION TO USE GOLF CARTS ON MUNICIPAL STREETS.**

(a) A golf cart may be operated only during the hours between sunrise and sunset. However, the City Council has determined that Golf Carts may be operated on Permitted Streets between the hours between sunset and sunrise only if equipped with headlights, brake lights, turn signals, and a windshield.

(b) Golf carts are not permitted to cross a Prohibited Street (South Patrick Drive, State Road A1A, and Eau Gallie Boulevard), even at a signalized intersection, and are not permitted to operate on the sidewalk or right-of-way of any Prohibited Streets or Permitted Streets.

(c) All golf carts 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.

(d) A golf cart may not be operated on public roads or streets by a person:

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

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

(e) Because a Golf Cart is defined as a motor vehicle that not capable of exceeding speeds of 20 miles per hour, Golf Carts may not be operated in the City at a speed in excess of 20 miles per hour, notwithstanding any posted speed limit.

(f) Golf Carts shall not be allowed in City Parks, but may be parked in designated parking areas. This Article shall not be construed to allow golf carts to enter or park upon any property owned by another public body such as Brevard County, and any of its departments/agencies, and the Brevard County School Board, unless authorized by such

public entity.

Sec. 19-153 – ADDITIONAL REQUIREMENTS APPLICABLE TO UNLICENSED DRIVERS AND OPERATORS OF GOLF CARTS.

(a) In addition to the requirements of section 19-52 any person driving or operating a golf cart who is an unlicensed driver shall be required to have the following additional equipment on such golf cart:

- (1) Headlights;
- (2) Driver-side and interior rear-view mirrors or both driver-side and passenger-side mirrors;
- (3) Parking lamps;
- (4) Front and rear turn signals meeting the minimum standards of F.S. § 316.234(2);
- (5) Side reflectors;
- (6) Horn or other warning devices required by F.S. § 316.271;
- (7) Seat belt for the unlicensed operator or driver.

Sec. 19-154 - PARKING.

Golf Carts shall comply with all parking regulations of the City.

Sec. 19-155 – ENFORCEMENT.

(a) A violation of subsections 19-152 (a),(b),(d), and (e) are noncriminal traffic infractions, punishable pursuant to chapter 318 as a moving violation.

(b) A violation of subsections 19-152 (c) and (f), 19-153, 19-154 and 19-159 are noncriminal traffic infractions, punishable pursuant to chapter 318 as a non-moving violation.

(c) Parking of a golf cart, not within a designated vehicle parking space, within any municipal park may result in the golf cart being towed at the owner's expense.

Sec. 19-156 – VOLUNTARY GOLF CART INSPECTION PROGRAM;  
MISCELLANEOUS PROVISIONS

The City of Indian Harbour Beach Police Department offers a voluntary inspection program to assist owners and operators of Golf Carts to be in compliance with the provisions of this Article.

(a) Any person desiring to operate a golf cart within the City may present the golf cart to a police officer, as designated by the Indian Harbour Beach Police Department for inspection regarding all required safety equipment and operational requirements and all safety equipment and operational requirements applicable to unlicensed drivers at such place as the police department shall designate for such inspections.

(b) Upon the completion of any inspection, the City of Indian Harbour Beach Police Department will issue an inspection report to such person requesting the inspection. The report shall not be considered as a defense to any citation issued or the basis of any claim against the City, but rather a guide to the person requesting the inspection as to what safety equipment or operational requirements are present or deficient.

(c) Any person who obtains such an inspection and report shall execute a document prior to such inspection on a form supplied by the City, that such an inspection and report is not a defense to any citation issued pursuant to this Article and waives all claims against the City.

(d) Although not required herein, the City urges any owners and operators of golf Carts within the City obtain applicable vehicle liability insurance covering the use and operation of golf carts upon public streets

**SECTION 2. SEVERABILITY.** If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3. REPEAL OF CONFLICTING ORDINANCES.** All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. INCORPORATION INTO CODE.** This Ordinance shall be incorporated into the City of Indian Harbour Beach Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the

construction or meaning of this ordinance and the Code may be made.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective thirty days following passage by the City Council, to allow the city to obtain and install the signage required by Florida Statutes Chapter 316.212.

PASSED AND ADOPTED this 10<sup>th</sup> day of February 2026.

X

Scott Nickle  
Mayor

ATTEST:

X

Nikki Gold  
City Clerk