



GOLF CART PERMIT APPLICATION

CITY OF FULSHEAR / PERMIT DEPARTMENT
PO Box 279
29255 FM 1093, #12C
Fulshear, TX 77441

TELEPHONE 281-346-8860 / FAX 281-346-8237

OFFICE USE ONLY:	
Permit Number	_____
Issue Date	_____
Issuing Officer	_____
Date of Payment	_____

APPLICANT INFORMATION:

NAME: _____

ADDRESS: _____
(Where golf cart will reside) Street Address Apt/Condo/Apt # City/State Zip Code

TELEPHONE NUMBER: (____) _____ **MOBILE NUMBER:** (____) _____

MAILING/BILLING ADDRESS: _____
(If different than above address) Street Address/PO Box Apt/Condo/Apt # City/State Zip Code

EMAIL ADDRESS: _____

Golf carts require inspection by the City of Fulshear Police Department per Ordinances 2011-1049, 2014-1140 & 2015-1181 prior to issuance of the permit. To schedule the required inspection, call the City of Fulshear Police Department (281) 346-2202.		
____ 2 Head lamps	____ Parking brake	____ "Golf Cart Use" brochure
____ 2 Tail lamps	____ Seatbelts on front and rear facing seats	____ Proof of insurance
____ Rear reflectors	____ Slow moving vehicle emblem (<i>highway</i>)	____ Insurance Policy No. _____
____ Mirrors		
____ City Ordinance 2011-1049	____ City Ordinance 2014-1140	____ City Ordinance 2015-1181

The Applicant/Intended Permit Holder affirms that he/she has read this application, and that all information herein is true and correct to the best of his/her knowledge. This application may be denied, or permit revoked, for false or misleading information, and that the Applicant, if other than the intended permit holder, certifies herein that he/she is authorized to act for the intended permit holder.

THE APPLICANT/INTENDED PERMIT HOLDER FURTHER ACKNOWLEDGES THAT HE/SHE HAS READ AND UNDERSTANDS THE INFORMATION CONTAINED IN THIS APPLICATION.

APPLICANT SIGNATURE: _____ **DATE:** _____

PERMIT MUST BE ISSUED BEFORE THE GOLF CART IS USED TO AVOID FEES AND/OR FINES
Incomplete/Illegible applications will be returned. Applications received without Permit Fee will be returned

PERMIT FEES: \$35.00



PERMIT TERM: A golf cart permit shall be valid for a twelve (12) month period from October 1 – September 30. Golf cart permits will not be prorated. Golf cart inspections and permitting events will be announced annually.

PERMIT RENEWAL: The permit holder, on or before the expiration of the golf cart permit, shall submit the Golf Cart Permit renewal fee to the City of Fulshear – Permit Department.

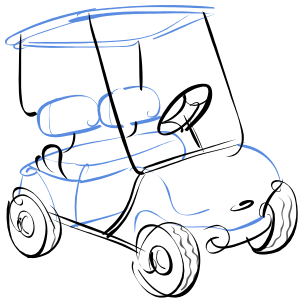
CHANGE OF INFORMATION IN PERMIT APPLICATION: The permit holder has an affirmative duty to amend any information contained or attached to the permit application that has changed or is out of date and filed with the Permit Department within thirty (30) days after the information changed or was out of date.

OPERATING A GOLF CART WITHOUT A PERMIT: ANY PERSON OR ENTITY OPERATING A GOLF CART WITHOUT A PERMIT IS SUBJECT TO A FINE OF NOT MORE THAN \$500.00 PER VIOLATION.

Payments related to golf cart permit including fees, fines, charges or costs can be made by check or money order and should be made payable to the **CITY OF FULSHEAR** and sent to: City of Fulshear – Permit Department, PO BOX 279, FULSHEAR, TX 77441. Checks returned due to insufficient funds are subject to a \$35.00 returned check charge.

Safety Tips for Golf Cart Use

- ◆ Do not carry more passengers than there are seats & seat belts
- ◆ Drivers and passengers should remain seated when golf cart is moving
- ◆ Keep hands, feet and other body parts inside cart when cart is in motion
- ◆ Mind your driving speed
- ◆ Pedestrians have the right of way
- ◆ Observe all traffic laws
- ◆ Perform regular maintenance of the golf cart
- ◆ Don't drink and drive



Your golf cart is NOT permitted on:

- ◆ FM 1093
- ◆ FM 1463
- ◆ FM 359
- ◆ Bois d'Arc Road
- ◆ Sidewalks
- ◆ Hike and Bike Trails

City of Fulshear
Permit Department
www.fulsheartexas.gov

Tel: 281-346-8860

City of Fulshear

Golf Cart Use Information



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Permit Department
P.O. Box 279
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Fulshear, Texas 77441

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Fax: 281-346-8237
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Golf Cart Use Requirements

- ◆ 2 head lamps
- ◆ 2 tail lamps
- ◆ Rear reflectors
- ◆ Mirrors
- ◆ Parking brake
- ◆ Slow moving vehicle emblem (*highway*)
- ◆ Front and rear seat belts
- ◆ Proof of insurance & policy number
- ◆ Operator shall hold a valid driver's license
- ◆ Maintain proof of financial responsibility for golf cart
- ◆ Annual inspection & permit

SAFETY FIRST!

Golf Cart Operation

Ordinance No. 2014-1140

An operator may operate a golf cart in a master planned community that has in place a uniform set of restrictive covenants and for which the City or county has approved a plat.

An operator may operate a golf cart on a public highway for which the posted speed limit is not more than thirty-five (35) miles per hour if the golf cart is operated during the daytime and not more than two (2) miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

An operator may operate a golf cart on a public highway that is in the corporate boundaries of the City and has a posted speed limit of not more than thirty-five (35) miles per hour.

An operator may operate a golf cart to cross an intersection, including a road or street that has a posted speed limit of more than thirty-five (35) miles per hour.

Texas State Law 545.422 prohibits golf carts on sidewalks and hike and bike trails.

Permit Required

- ◆ Golf cart owners shall submit a golf cart permit application to the City, have the golf cart inspected by the City's Police Department to ensure compliance with the City Ordinance, and receive a permit from the City to be able to operate a golf cart in the City.
- ◆ Golf carts shall have affixed a valid City permit decal at all times the golf cart is operated. (***Ordinance No. 2014-1140***)
- ◆ Golf cart permit decal shall be valid for one (1) year—October 1 of one year to September 30 of the next year. (***Ordinance No. 2015-1181***)
- ◆ The permit fee is \$35.00 per year and will not be prorated.
- ◆ Golf cart permits shall be displayed on the front driver's side panel on the golf cart so as to be clearly visible.
- ◆ Golf cart permit is not transferable.

Permit Revocation

- ◆ Golf cart does not conform to the rules and regulations contained in the Ordinance.
- ◆ Golf cart operator pleads guilty or no contest or is found guilty for violating any provisions of the Ordinance, any other Ordinance of the City, or any state or federal law while operating the golf cart.
- ◆ Golf cart owner or operator fails to maintain financial responsibility for the golf cart as required by the City Ordinance.
- ◆ The City shall send written notice of the golf cart permit revocation to the owner as named on the permit application. Notice may be sent by certified mail with return receipt requested or by personal delivery.
- ◆ Golf cart owner may appeal a revocation by filing a written appeal with the City Secretary no later than the fifth (5th) day after the date of receiving the notice of revocation. If the City mails the notice of revocation by certified mail with return receipt requested, then owner is deemed to have received the notice at time of signing for the notice. If such notice is unclaimed or returned without a signature, owner is deemed to have received the notice three (3) days after the City deposited the notice in the mail.

ANY PERSON OR ENTITY OPERATING A GOLF CART WITHOUT A PERMIT IS SUBJECT TO A FINE OF NOT MORE THAN \$500.00 PER VIOLATION.

Definitions

Golf cart means a motor vehicle designed by the manufacturer primarily for use on a golf course with a maximum speed of twenty-five (25) miles per hour.

Public highway includes a road, street, way, thoroughfare, or bridge that is in this state, that is for the use of vehicles, that is not privately owned or controlled, and over which the state has legislative jurisdiction under its police powers.

ORDINANCE NO. 2011-1049

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, REGULATING THE USE OF GOLF CARTS AND PROHIBITING THE USE OF GOLF CARTS ON PUBLIC HIGHWAYS; PROVIDING A PENALTY, PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fulshear, Texas, desires to regulate the use of Golf Carts to enhance the health, safety and welfare of its citizens; and

WHEREAS, through Chapter 542, Subchapter B § 542.201 of the Texas Transportation Code, the Legislature has authorized the City to regulate traffic within the City of Fulshear, Texas; and

WHEREAS, the City Council of the City of Fulshear, Texas, finds that providing minimum use and operational requirements for Golf Carts is necessary in the interest of safety will likely protect persons and property from injury and annoyance and promote the safe use of such vehicles and property under the jurisdiction and control of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

SECTION 1.0

PURPOSE: The purpose of this Ordinance is to regulate the use of Golf Carts and prohibit the use of Golf Carts on public highways .

SECTION 2.0

DEFINITIONS: The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

- 1) **Golf Cart:** is defined as motor vehicle designed by manufacturer primarily for transporting persons on a golf course. See Title 7, Subtitle A, Chapter 502, Subchapter A § 502.001(7) of the Texas Transportation Code.
- 2) **Public Highway:** includes a road, street, way, thoroughfare, or bridge:
 - a) That is within the city limits of the City of Fulshear, Texas; and
 - b) That is for the use of motor vehicles; and
 - c) Over which the city has legislative jurisdiction under its police power; and
 - d) That is not privately owned or controlled.

SECTION 3.0

REQUIREMENTS AND RESTRICTIONS: The following use, operational requirements and restrictions are adopted by the City of Fulshear, Texas, for Golf Carts.

- 1) Golf Carts shall not be operated on any public highway within the City of Fulshear, Texas.
- 2) Golf Carts may only be operated on thoroughfares or pathways specifically dedicated for Golf Cart use by persons who hold a valid driver's license.
- 3) Golf Carts shall not be operated on thoroughfares or pathways specifically dedicated for Golf Cart use in a negligent manner. For the purpose of this subsection, "to operate in a negligent manner" is defined as the operation of a Golf Cart in such a manner as to endanger any person or property, or to obstruct, hinder, or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.

SECTION 4.0

EXEMPTIONS: The use of Golf Carts is exempted from the restrictions of this Ordinance under the following conditions:

- 1) Their use is in conjunction with a City sponsored event; and
- 2) They are solely operated on public highways from which all regular vehicular traffic is restricted.

SECTION 5.0

PENALTIES FOR VIOLATION: Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 6.0


REPEALING CLAUSE: All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 7.0 *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 8.0

EFFECTIVE DATE: This Ordinance shall be effective after publication as required by law.


Thomas C. Kuykendall, Jr., Mayor

ATTEST:

D. Gordon Offord, City Secretary

ORDINANCE 2014-1140

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, PROVIDING RULES AND REGULATIONS FOR GOLF CARTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City Council of the City of Fulshear, Texas, ("City") desires to ensure the health, safety, and welfare of the public by adopting rules and regulations regarding golf cart operation; and

WHEREAS, the Texas Transportation Code Chapter 551 regulates the operation of golf carts;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1. That the facts and recitations found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. That the City adopts the following rules and regulations regarding golf cart operations:

- "A. Definitions.
 - (1) Golf cart means a motor vehicle designed by the manufacturer primarily for use on a golf course with a maximum speed of twenty-five (25) miles per hour.
 - (2) Public highway includes a road, street, way, thoroughfare, or bridge that is in this state, that is for the use of vehicles, that is not privately owned or controlled, and over which the state has legislative jurisdiction under its police powers.
- B. Golf cart operation.
 - (1) An operator may operate a golf cart in a master planned community that has in place a uniform set of restrictive covenants and for which the city or county has approved a plat.
 - (2) An operator may operate a golf cart on a public highway for which the posted speed limit is not more than thirty-five (35) miles per hour if the golf cart is operated during the daytime and not more than two (2) miles from the location where the golf cart is

usually parked and for transportation to or from a golf course.

- (3) An operator may operate a golf cart on a public highway that is in the corporate boundaries of the city and has a posted speed limit of not more than thirty-five (35) miles per hour.
- (4) An operator may operate a golf cart to cross an intersection, including a road or street that has a posted speed limit of more than thirty-five (35) miles per hour.

C. Permit required.

- (1) Golf cart owners shall submit a golf cart permit application to the city, have the golf cart inspected by the City's police department to ensure compliance with this Ordinance, and receive a permit from the City to be able to operate a golf cart in the city.
- (2) Golf carts shall have affixed a valid City issued permit decal at all times the golf cart is operated.
- (3) A golf cart permit decal shall be valid for one (1) year from the date of issuance.
- (4) There shall be a thirty-five (35) dollar permit fee charged by the city for a permit under this section.
- (5) A golf cart permit decal shall be displayed on the front driver's side panel on the golf cart so as to be clearly visible.
- (6) A golf cart permit is not transferable.

D. Permit revocation.

The city may revoke a permit if any of the following occur:

- (1) The golf cart does not conform to the rules and regulations contained in this Ordinance;
- (2) The golf cart operator pleads guilty or no contest or is found guilty for violating any provisions of this Ordinance, any other Ordinance of the city, or any state or federal law while operating the golf cart; or
- (3) The golf cart owner or operator fails to maintain financial responsibility for the golf cart as required by this Ordinance.
- (4) The City shall send written notice of the golf cart permit revocation to the owner as named on the permit application. Notice may be sent by certified

mail with return receipt requested or by personal delivery.

- (5) Golf cart owner may appeal a permit revocation by filing a written appeal with the City Secretary no later than the fifth (5th) day after the date of receiving the notice of revocation. If the city mails the notice of revocation by certified mail with return receipt requested, then owner is deemed to have received the notice at time of signing for the notice. If such notice is unclaimed or returned without a signature, owner is deemed to have received the notice three (3) days after the city deposited the notice in the mail.

E. Driver's license, proof of financial responsibility, required equipment.

- (1) A golf cart operator shall hold a valid driver's license.
- (2) A golf cart operator shall maintain proof of financial responsibility for the golf cart operated in the city.
- (3) All golf cart operated in the City shall be equipped with headlamps, tail lamps, reflectors, parking brake, mirrors, and front and rear seat belts.
- (4) Golf cart shall display a slow-moving-vehicle emblem when it is operated on a public highway.

F. Exemptions.

- (1) Golf carts operated for city sponsored events are exempt from this Ordinance.
- (2) Golf carts operated on either a public highway or city street in which all regular vehicular traffic is restricted."

Section 3. *Penalty.*

Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance, except Sections C and D, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by fine as set forth in the Texas Transportation Code, as amended, for such offense. Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense. Any person who violates or causes, allows, or permits another to violate Sections C or D of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

Section 4. *Severability.*

In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. *Repeal.*

Ordinance No. 2011-1049 is repealed in its entirety as well as any other ordinance in conflict herewith to the extent of such conflict.

Section 6. *Effective Date.*

This Ordinance shall become effective immediately and punishable when published as required by law.


PASSED, APPROVED, and ADOPTED this 15th day of April, 2014.

CITY OF FULSHEAR, TEXAS



Thomas C. Kuykendall, Mayor

ATTEST:



D. Gordon Offord, City Secretary

ORDINANCE NO. 2015-1181

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS AMENDING ORDINANCE NO. 2014-1140 SECTION 2.0, PARAGRAPH (C), SUB-PARAGRAPH (3) RELATING TO PERMIT TERMS MAKING RENEWAL ON AN ANNUAL BASIS SET TO BEGIN AND END ON THE FISCAL YEAR; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fulshear, Texas, ("City") desires to ensure the health, safety, and welfare of the public by adopting rules and regulations regarding golf cart operation; and

WHEREAS, the Texas Transportation Code Chapter 551 regulates the operation of golf carts; and

WHEREAS, the City Council previously passed Ordinance No. 2014-1140 providing for the permitting and operation of Golf Carts under certain parameters; and

WHEREAS, the method for inspection, renewal and permitting has become overly administratively burdensome leading the City Council of the City of Fulshear, Texas to amend said Ordinance and the terms under which permits are issued.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

SECTION 1.0

PURPOSE: The purpose of this Ordinance is to amend and revise Ordinance 2014-1140, Section 2.0, Paragraph (C), Sub-paragraph (3) relating to the term of permits issued by the City for the operation of Golf Carts within the Municipal Limits of the City.

SECTION 2.0

AMDENDED: Section 2.0, Paragraph (C), Sub-Paragraph (3) is hereby amended to read:

- (3) A golf cart permit decal shall be valid for one (1) year from the date of issuance. *Permits shall be issued to mirror the City's Fiscal Year Calendar, such that they shall be valid from October 1st of one year through September 30th of the following year. Permits issued after April 15, 2014 and expiring before October 1, 2015 shall be considered valid until September 30, 2015. After that period such permits shall be considered expired and the permit holder shall be responsible for renewing said permit at full cost.*

SECTION 3.0

SEVERABILITY CLAUSE: That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 4.0

REPEALING CLAUSE: All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5.0

EFFECTIVE DATE: This Ordinance shall become effective immediately and punishable when published as required by law.

SECTION 6.0

PUBLICATION: The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.


Thomas C. Kuykendall Jr., Mayor

ATTEST:


D. Gordon Offord, City Secretary