Effective
1-1-2027

ORDINANCE NO. 08-2026-01

AN ORDINANCE OF THE CITY OF WHITE, GEORGIA, PROVIDING FOR THE OPERATION OF MOTORIZED CARTS UPON CERTAIN PUBLIC STREETS; ESTABLISHING REGISTRATION AND EQUIPMENT REQUIREMENTS; PROVIDING FOR PENALTIES; AND FOR OTHER PURPOSES.

PREAMBLE

WHEREAS, O.C.G.A. § 40-6-331 expressly authorizes municipalities in the State of Georgia to permit by ordinance the operation of motorized carts upon designated public streets within their jurisdiction, subject to such conditions and limitations as the governing authority may deem appropriate; and

WHEREAS, the Mayor and City Council of the City of White, Georgia find that it is in the interest of the public health, safety, and general welfare to establish a clear regulatory framework governing the operation of motorized carts upon designated city streets, including minimum equipment, operator, and registration standards; and

WHEREAS, the City of White recognizes the growing demand within the community for accessible, low-speed transportation options for use on local streets, and finds that such mobility serves legitimate community interests when conducted in a safe and regulated manner; and

WHEREAS, the Mayor's stated mobility goals for the City of White include expanding transportation options for residents in a manner consistent with public safety and the character of the community, and this Ordinance is consistent with and in furtherance of those goals; and

WHEREAS, the City Council has duly reviewed and considered the terms of this Ordinance, including input from the Chief of Police and City Attorney, and finds it to be in proper legal form and consistent with applicable state law; and

WHEREAS, proper notice of the consideration of this Ordinance has been provided to the public as required by the Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and all other applicable provisions of law;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of White, Georgia, as follows:

ARTICLE I – GENERAL PROVISIONS

Section 1.1 Title. This Ordinance shall be known and may be cited as the *"City of White Motorized Cart Ordinance."*

Section 1.2 Authority. This Ordinance is enacted pursuant to O.C.G.A. § 40-6-331, which grants municipalities the authority to permit motorized cart operation on public streets by local ordinance, and pursuant to the general police powers of the City of White, Georgia, to protect the public health, safety, and welfare of its citizens.

Section 1.3 Purpose. The purpose of this Ordinance is to promote the safe, efficient, and regulated use of motorized carts on designated public streets within the corporate limits of the City of White; to protect pedestrians, cyclists, and other motorists sharing public rights-of-way; to establish minimum safety, equipment, and registration standards for cart operation; and to support small-community mobility in a manner consistent with the public interest.

Section 1.4 Definitions. As used in this Ordinance, the following terms shall have the meanings ascribed to them below:

(a) "Motorized Cart" means any vehicle, including a golf cart, that: (i) has not less than three wheels in contact with the ground; (ii) has an unladen weight of not more than 1,300 pounds; (iii) is not capable of exceeding a maximum speed of 20 miles per hour; and (iv) is not

primarily designed for use on public roads. For purposes of this Ordinance, the term includes electric and gasoline-powered carts.

(b) "Low-Speed Vehicle" or "LSV" means any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, and which complies with the equipment requirements of 49 C.F.R. Part 571.500, as may be amended.

(c) "Designated Street" means any public street within the City of White upon which the City Council has, by resolution, expressly authorized the operation of motorized carts, as reflected on the map maintained by the City Clerk pursuant to Section 3.1 of this Ordinance.

(d) "Operator" means any person who drives or is in actual physical control of a motorized cart or LSV on a designated public street.

(e) "Registration Decal" means the numbered, weather-resistant adhesive decal issued by the City Clerk upon approved registration of a motorized cart, which must be affixed to the rear of the cart in a conspicuous and readable location.

(f) "City Clerk" means the duly appointed City Clerk of the City of White, Georgia, or his or her authorized designee.

(g) "Chief of Police / Enforcement Officer" means the Chief of the City of White Police Department, or any sworn law enforcement officer with lawful jurisdiction within the corporate limits of the City of White who is authorized to enforce the provisions of this Ordinance.

ARTICLE II – PERMITTED VEHICLES

Section 2.1 Motorized Carts. Golf carts and other motorized carts, as defined in Section 1.4(a) of this Ordinance, may be operated on designated streets within the City of White, provided that such vehicles do not exceed a maximum speed of 20 miles per hour and are operated in full compliance with the requirements of this Ordinance. Such vehicles shall be used solely on streets designated pursuant to Article III hereof, and shall not be operated on any other public street, highway, or right-of-way except as expressly permitted by Section 3.5.

Section 2.2 Low-Speed Vehicles. Factory-equipped Low-Speed Vehicles, as defined in Section 1.4(b) of this Ordinance and fully compliant with 49 C.F.R. Part 571.500 (Federal Motor Vehicle Safety Standards for Low-Speed Vehicles), may be operated on designated streets that have a posted speed limit of 35 miles per hour or less. LSVs must be titled and, where required by state law, registered with the Georgia Department of Revenue in addition to any local registration requirements of this Ordinance. Operation of an LSV at a speed exceeding 25 miles per hour is prohibited under this Ordinance.

Section 2.3 Prohibited Vehicles. The following vehicles are expressly prohibited from operating under or obtaining authorization pursuant to this Ordinance:

(a) All-terrain vehicles (ATVs) and utility terrain vehicles (UTVs), as defined under O.C.G.A. § 40-1-1;

(b) Dirt bikes, off-road motorcycles, and any motorcycle as defined under O.C.G.A. § 40-1-1;

(c) Mopeds and motorized bicycles;

(d) Any vehicle capable of exceeding 25 miles per hour under its own power;

(e) Any vehicle not meeting the definitions of "Motorized Cart" or "Low-Speed Vehicle" as set forth in Section 1.4 of this Ordinance.

Possession of a registration decal issued under this Ordinance does not authorize the operation of a prohibited vehicle on any public street.

ARTICLE III – DESIGNATED STREETS AND OPERATING CONDITIONS

Section 3.1 Designated Streets. The City Council of the City of White shall, from time to time, by resolution duly adopted at a regular or called meeting, designate the specific public streets within the City upon which motorized carts may operate. An official map of all designated streets shall be maintained on file by the City Clerk and shall be available for public inspection at City Hall during regular business hours. The City Council may, by subsequent resolution, add streets to or remove streets from the list of designated streets as conditions warrant.

Section 3.2 Operating Hours. Motorized carts shall be operated only during daylight hours, defined for purposes of this Ordinance as the period beginning thirty (30) minutes after official sunrise and ending thirty (30) minutes before official sunset for the City of White, Georgia, on any given day. Notwithstanding the foregoing, a motorized cart that is equipped with fully operational headlamps (white, visible at 500 feet), taillamps (red, visible at 100 feet), stop lamps, and front and rear reflectors meeting the specifications of Section 5.2 of this Ordinance may operate until 10:00 p.m. local time.

Section 3.3 Speed Limits. No motorized cart shall be operated at a speed exceeding 20 miles per hour. No LSV shall be operated at a speed exceeding 25 miles per hour. Regardless of vehicle type, all operators must at all times observe posted speed limits on designated streets, and where the posted speed limit is lower than the foregoing maximums, the posted speed limit shall govern.

Section 3.4 Traffic Laws. Operators of motorized carts and LSVs on designated streets must comply with all applicable state and local traffic laws, including but not limited to: stopping for stop signs and traffic control signals; yielding the right of way as required by O.C.G.A. Title 40, Chapter 6; maintaining proper lane positioning; and observing all lawful directions of law enforcement officers and traffic control devices. The provisions of O.C.G.A. Title 40 applicable to motor vehicle operators shall apply to operators of motorized carts to the extent not inconsistent with this Ordinance or otherwise inapplicable by their terms.

Section 3.5 Prohibited Areas. Motorized carts shall not be operated on:

(a) Any state highway or federal interstate highway within or adjacent to the City of White;

(b) Any sidewalk, shared-use path, or multi-use trail, unless otherwise designated by the City Council;

(c) Any public street not designated pursuant to Section 3.1, except that a motorized cart may cross such a street at a designated signalized or stop-controlled intersection for the minimum distance necessary to proceed to or from a designated street;

(d) Any private property without the express permission of the property owner.

ARTICLE IV – OPERATOR REQUIREMENTS

Section 4.1 Minimum Age. No person under the age of sixteen (16) years shall operate a motorized cart or LSV on any designated public street within the City of White. The provisions of this section apply to all designated street operation and do not limit restrictions on private property imposed by state law or the property owner.

Section 4.2 License Requirement. Every operator of a motorized cart or LSV on a designated public street of the City of White must possess a valid, current Georgia driver's license or such other license as may be authorized under Georgia law for the class of vehicle being operated. This requirement does not apply to operation on private property. The operator's license must be carried on the operator's person during operation and must be presented to a law enforcement officer upon lawful demand.

Section 4.3 Passenger Limits. No motorized cart or LSV shall carry, at any time, more passengers than the number of occupants for which the vehicle was originally designed and equipped with seats by the manufacturer. Standing passengers and the carrying of passengers in cargo areas or on external surfaces of the vehicle are expressly prohibited.

Section 4.4 Prohibited Conduct. No operator shall:

(a) Operate a motorized cart or LSV while under the influence of alcohol, a controlled substance, or any other impairing drug or substance, in violation of O.C.G.A. § 40-6-391, which provisions are incorporated herein by reference and shall apply to operators of motorized carts and LSVs on designated streets;

(b) Use a handheld mobile telephone, smartphone, or any other handheld electronic device while operating a motorized cart or LSV in motion on a designated street, in violation of O.C.G.A. § 40-6-241;

(c) Tow, pull, or otherwise transport any person on a skateboard, bicycle, roller skates, or similar device behind or attached to a motorized cart;

(d) Operate a motorized cart in a reckless manner that endangers the life or property of any person, as prohibited by O.C.G.A. § 40-6-390;

(e) Operate a motorized cart with a number of occupants or load that impairs the operator's vision or ability to control the vehicle.

ARTICLE V – EQUIPMENT REQUIREMENTS

Section 5.1 Mandatory Equipment – All Motorized Carts. Every motorized cart operated on a designated public street shall be equipped with and maintain in proper working order, at all times, the following minimum equipment:

(a) Functional braking system sufficient for the weight and passenger capacity of the vehicle capable of stopping the cart within a reasonable distance under normal operating conditions, and including a parking brake;

(b) A rearview mirror affording the operator a clear view of the roadway for not less than 200 feet to the rear of the cart;

(c) Red reflectorized warning devices, affixed to both the front and rear of the cart, meeting applicable standards for visibility;

(d) A horn or other auditory warning device capable of producing a sound audible at a distance of not less than 100 feet under normal conditions;

(e) A reverse warning device functional at all times when the cart is in reverse;

(f) A main power switch;

(g) safety warning label; and

(h) hip restraints and hand holds.

Section 5.2 Additional Equipment for After-Dusk Operation. Motorized carts permitted to operate after sunset pursuant to Section 3.2 of this Ordinance must be additionally equipped with:

(a) Headlamps emitting a white light visible from a distance of not less than 500 feet to the front of the cart under normal atmospheric conditions;

(b) Taillamps emitting a red light visible from a distance of not less than 100 feet to the rear of the cart under normal atmospheric conditions;

(c) Stop lamps that illuminate upon activation of the braking system, visible from the rear of the cart; and

(d) A windshield or, in the absence of a windshield, approved eye protection (safety glasses or goggles) for each occupant of the cart.

Section 5.3 LSV-Specific Equipment. All Low-Speed Vehicles operated under this Ordinance must fully comply with 49 C.F.R. Part 571.500 (Federal Motor Vehicle Safety Standards for Low-Speed Vehicles), as may be amended from time to time. At a minimum, each LSV must be factory-equipped with:

(a) Seatbelts for all designated seating positions;

(b) A windshield meeting applicable safety standards;

(c) Front and rear DOT-compliant lighting systems, including headlamps, taillamps, stop lamps, and turn signal lamps;

(d) A parking brake; and

(e) A vehicle identification number (VIN).

LSVs must maintain all federally required equipment in proper working order at all times. Removal or disabling of any required equipment shall render the LSV ineligible for operation under this Ordinance.

Section 5.4 Maintenance. All equipment required by this Article shall be maintained in proper working order at all times during operation. A motorized cart or LSV with inoperable or defective, required equipment shall not be operated on a designated public street. A law enforcement officer may issue a citation and order the removal of the vehicle from the street upon finding that required equipment is inoperable or absent.

ARTICLE VI – REGISTRATION AND DECAL

Section 6.1 Registration Required. Every motorized cart or LSV operated on a designated public street within the City of White must be duly registered with the City of White in accordance with this Article. Registration shall be renewed on an annual basis. Operation of

an unregistered motorized cart on a designated street is a violation of this Ordinance and may result in impoundment pursuant to Section 8.3.

Section 6.2 Application. The owner of a motorized cart seeking registration under this Ordinance shall complete and submit to the City Clerk the City of White Motorized Cart Registration Application Form, accompanied by all of the following:

(a) Proof of ownership — a copy of the bill of sale, manufacturer's certificate of origin, or other documentation acceptable to the City Clerk establishing the owner's ownership interest in the cart;

(b) A valid, government-issued photo identification;

(c) Proof of liability insurance covering the operation of the golf cart or low speed vehicle; and

(d) Payment of the applicable registration fee established pursuant to Section 6.3.

Section 6.3 Registration Fee. The annual registration fee for motorized carts registered under this Ordinance shall be established and may be amended from time to time by resolution of the City Council of the City of White. The initial annual registration fee is hereby established at **Fifteen Dollars ($15.00)** per motorized cart. Registration fees are non-refundable and shall be deposited into the City's General Fund to offset administrative costs of the program. A pro-rated fee schedule for mid-year registration may be established by the City Clerk with approval of the Mayor and/or his/her designee.

Section 6.4 Decal Issuance. Upon approval of a completed registration application, the City Clerk shall issue to the owner a sequentially numbered registration decal unique to the registered cart for the applicable registration year. The decal must be affixed by the owner to the rear of the motorized cart in a conspicuous location that is clearly visible and readable. The decal must remain affixed and visible at all times during operation. Decals are not transferable between vehicles.

Section 6.5 Transferability. Registration of a motorized cart under this Ordinance is not transferable to another owner upon sale, gift, or other transfer of the cart. Upon any transfer of ownership, the existing registration is void. The new owner shall have thirty (30) calendar

days from the date of transfer to submit a new registration application to the City Clerk. Operation of the cart on designated streets during the thirty (30) day registration period is permitted provided that the cart otherwise complies with all requirements of this Ordinance and the new owner carries documentation of the transfer.

Section 6.6 Revocation. The City Clerk is authorized to revoke the registration of any motorized cart upon a finding of one or more of the following:

(a) Three (3) or more violations of this Ordinance within any twelve-month period;

(b) Any other circumstance that, in the judgment of the City Clerk in consultation with the Chief of Police, renders continued registration inconsistent with public safety.

Written notice of revocation shall be provided to the owner. Upon revocation, the cart may not be operated on designated streets until registration has been reinstated by the City Clerk.

ARTICLE VII – ENFORCEMENT AND PENALTIES

Section 7.1 Enforcement Authority. This Ordinance shall be enforced by the White Police Department. Any sworn law enforcement officer with lawful jurisdiction within the corporate limits of the City of White, Georgia, including Bartow County Sheriff's deputies acting within the City's limits, is authorized to enforce the provisions of this Ordinance. The City Clerk is authorized to enforce administrative provisions relating to registration and decal requirements.

Section 7.2 Penalties. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to penalty as follows:

(a) First Offense: A written warning or a fine in an amount not to exceed One Hundred Dollars ($100.00), at the discretion of the enforcement officer and/or the Municipal Court;

(b) Second Offense within Twelve (12) Months: A fine of not less than One Hundred Dollars ($100.00) and not more than Two Hundred Fifty Dollars ($250.00);

(c) Third and Subsequent Offenses within Twelve (12) Months: A fine of not less than Two Hundred Fifty Dollars ($250.00) and not more than Five Hundred Dollars ($500.00), and, upon recommendation of the Chief of Police or at the discretion of the Municipal Court,

suspension of the offending operator's privilege to operate a motorized cart on designated streets within the City of White for a period not to exceed twelve (12) months.

Each day on which a continuing violation exists shall constitute a separate offense for purposes of this section. Nothing in this section shall preclude additional penalties available under Georgia law for violations of state traffic statutes incorporated by reference herein.

Section 7.3 Impoundment. A law enforcement officer is authorized to impound any motorized cart operated: (a) without a valid registration decal issued pursuant to Article VI; or (b) by an operator whose privilege to operate a motorized cart has been suspended pursuant to Section 7.2. Impoundment fees, towing fees, and storage fees shall be the responsibility of the owner and shall be established by City Council resolution. Release of an impounded cart shall be contingent upon payment of all fees and, where applicable, reinstatement of registration.

Section 7.4 Adjudication. All violations of this Ordinance shall be adjudicated in the Municipal Court of the City of White, Georgia, in accordance with the City's code of ordinances and applicable provisions of Georgia law governing municipal court proceedings. The Municipal Court shall have jurisdiction over all offenses arising under this Ordinance and shall have authority to impose fines, suspensions, and such other penalties as are authorized herein.

ARTICLE VIII – GENERAL PROVISIONS

Section 8.1 Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason declared invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of White hereby declare that they would have adopted this Ordinance and each section, subsection, clause, sentence, phrase, and portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

Section 8.2 Conflict. All ordinances, resolutions, regulations, or parts thereof of the City of White that are in conflict or inconsistent with the provisions of this Ordinance are hereby

repealed and replaced to the extent of such conflict or inconsistency. All non-conflicting provisions of the City's code of ordinances shall remain in full force and effect.

Section 8.3 Effective Date. This Ordinance shall take effect and be in full force thirty (30) calendar days following its adoption by the Mayor and City Council of the City of White, Georgia, and following publication or posting as required by applicable Georgia law. During the thirty (30) day period preceding the effective date, the City Clerk shall make registration applications and information about the program available to the public.

DULY ADOPTED by the Mayor and City Council of the City of White, Georgia, at a duly noticed regular meeting thereof, held on the 8th day of September, 2026.

City of White, Georgia

_____

Mayor

Attest:

_____

City Clerk

Seal:

Robin Cochran

From: Curtis Powell
Sent: Tuesday, September 8, 2026 8:00 AM
To: Stephanie Nichelson; Jean Swank; Karissa Noland; David Bennett
Cc: Robin Cochran
Subject: Liability Insurance

All,

The proof of liability insurance has been added to Section 6.2 of the Motorized Cart Ordinance. See below:

Section 6.2 Application. The owner of a motorized cart seeking registration under this Ordinance shall complete and submit to the City Clerk the City of White Motorized Cart Registration Application Form, accompanied by all of the following:

(a) Proof of ownership — a copy of the bill of sale, manufacturer's certificate of origin, or other documentation acceptable to the City Clerk establishing the owner's ownership interest in the cart;

(b) A valid, government-issued photo identification;

(c) Proof of liability insurance covering the operation of the golf cart or low speed vehicle; and

(d) Payment of the applicable registration fee established pursuant to Section 6.3.

Thanks,

Curtis D. Powell
Mayor
29 W. Rocky Street
PO Box 116
White, GA 30184
Phone: (770) 382-5466