

AN ORDINANCE TO AMEND SECTION 78-91 *et seq.* OF THE PEACHTREE CITY CODE OF ORDINANCES TO MAKE PROVISIONS FOR THE USE OF LOW SPEED MOTOR VEHICLES AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PEACHTREE CITY, and it is hereby ordained by the authority of the same, that Sections 78-91 *et seq.* be amended as follows:

- 78-91 The city council finds that all streets and paved recreational paths located within the territorial boundaries of the city and under its jurisdiction are designed and constructed so as to safely permit their use by operators of motorized carts, electric bicycles, and low speed motor vehicle (“LSMV”), except as stated elsewhere in this article. “Motorized carts” are defined as those electric and gasoline-powered pleasure carts, commonly called golf carts, which do not exceed 20 miles per hour. “Electric bicycles” are defined as those single person bicycles powered by an electric motor which will not propel the bicycle at a speed in excess of 20 miles per hour on a flat surface carrying 150 pounds. No other electric bicycles are authorized for use under this article. “LSMVs” are defined as those four-wheeled vehicles whose top speed exceeds 20 miles per hour but does not exceed 25 miles per hour and which possess some mechanical, electrical or similar system other than merely decreased pressure on the accelerator wherein the vehicle’s top speed can be prohibited from exceeding 20 miles per hour by the operator.
- 78-92(e) *LSMV.* No LSMV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the city unless it is legally registered according to laws of the State of Georgia.
- 78-93 (i) It shall be unlawful for the owner of any motorized cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart or LSMV to operate or permit the operator of any motorized cart or LSMV to drive over the recreational paths, streets or those areas accessible by the public in the city in violation of this article.
- 78-93 (j) *LSMV.* Only persons possessing a valid license issued by the State of Georgia, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the State of Georgia may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the city.
- 78-93 (k) No LSMV shall be permitted to operate on, over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided. No LSMV shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour. Except as prohibited

above, LSMVs shall be permitted to cross over streets of which the posted speed limit exceeds 35 miles per hour.

- 78-94 (10) LSMV provided that the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour.
- 78-95 (11) Un-registered LSMV.
- 78-96 (k) Seat belts on LSMVs shall be worn by all occupants at all times the vehicle is moving.
- 78-98 (b) Any violation of section 78-93 (b), (c), or (d) shall be charged against the registered owner of the motorized cart, and all fines and penalties shall be levied against the registered owner of the motorized cart as follows:
(1) For the first offense, a fine of not less than \$250.00.
(2) For the second offense, a fine of not less than \$500.00.
(3) For a third offense committed within one year of conviction for a second offense for a motorized cart, a fine of \$1,000.00, and the registered owner's motorized cart registration shall be revoked. The registered owner or family member cannot thereafter register a motorized cart for use in the city for a period of two years following the third conviction.
- 78-98 (c) Any violation by an operator of an LSMV shall be charged against the operator according to the provisions of Title 40 of the Official Code of Georgia and this Code. Any violation by an owner of an LSMV shall be charged against the owner according to the provisions of Title 40 of the Official Code of Georgia and this Code.

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

Done, Ratified and Passed on this 20th day of December 2001.

Robert L. Long
Mayor

[Signature]
[Signature]
Agnes W. Menami
Carol A. Fritz
City Council

[Signature] Attest
City Clerk