



COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month at 5:30 p.m. in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: March 12, 2020

Meeting Date: March 19, 2020

Name: Joel Foreman

Department: County Attorney

Division Manager's Signature: _____

Ben Scott

1. Nature and purpose of agenda item:

Adoption hearing (Public Hearing) for consideration and adoption of Ord. 2020-02, which would add several subdivision and county roads to the list of roads on which golf cart use is permitted.

2. Recommended Motion/Action:

If to approve: To adopt Ordinance No. 2020-02, so amending Chapter 114 of the County Code of Ordinances.

3. Fiscal impact on current budget.

This item has no effect on the current budget.

MEMORANDUM

To: Board Agenda, March 19, 2020

From: Joel F. Foreman

Re: Proposed Ordinance adding County roads for Golf Cart operation

Date: March 12, 2020

Commissioner Nash requested an ordinance that would include all county roads within the Callaway Subdivision among the county roads on which operation of golf carts is permitted. A draft ordinance was presented to the Board on February 20, 2020, with a request for adoption hearing on March 19, 2020.

At that February 20, 2020 meeting, a request was made during public comment to include The Preserve at Laurel Lake subdivision roads for golf cart traffic. Commissioner Nash also requested to include roads within the Woodborough subdivision. Finally, Commissioner Murphy indicated that he had roads within his district he also wished to open to golf cart traffic, including Woodhaven subdivision. The ordinance was updated to reflect these requests and advertised for an adoption hearing for March 19, 2020.

Adoption of the attached ordinance will open the roads and subdivisions indicated to golf cart traffic on county roads. It is necessary that the Board consider, as provided in the ordinance, “the speed, volume, and character of motor vehicle traffic using these roads” in order to find “that the roads set forth herein are county roads within the territorial limits of Columbia County, Florida which golf carts may safely travel on or across”. This is a legislative determination that will be approved if the ordinance as presented is adopted.

Recommended motion:

If to approve: to adopt Ordinance No. 2020-02, so amending Chapter 114 of the County Code of Ordinances.

**COLUMBIA COUNTY, FLORIDA
ORDINANCE NO. 2020-02**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 114,
ARTICLE I OF THE COUNTY CODE OF ORDINANCES TO ADD TO
THE LIST OF COUNTY ROADS UPON WHICH OPERATION OF GOLF
CARTS IS PERMITTED AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Columbia County Board of County Commissioners previously adopted ordinances prohibiting the operation of golf carts upon county roads with the exception of certain roads identified in those ordinances;

WHEREAS, the ordinances are codified at Article I of section 114 of the Columbia County Code of Ordinances;

WHEREAS, the Board of County Commissioners desires to add to the list of county roads upon which golf carts may be operated; and

WHEREAS, the Columbia County Board of County Commissioners is authorized to regulate the operation of golf carts within its territorial limits as provided by Fla. Stat. Ch. 125, the Home Rule Charter for Columbia County, Florida, and Fla. Stat. section 316.212.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA:**

Section 1. FINDINGS

The above Recitals are incorporated herein by reference and are hereby adopted as Findings in support of this Ordinance.

Pursuant to Fla. Stat. section 316.212, the Board of County Commissioners for Columbia County, Florida, having considered the speed, volume, and character of motor vehicle traffic using these roads finds that the roads set forth herein are county roads within the territorial limits of Columbia County, Florida which golf carts may safely travel on or across.

Upon adoption of this Ordinance and pursuant to Section 114-2(d) and Fla. Stat. section 316.212(1), the County's public works department shall post and maintain upon the County's right-of-way appropriate signage at roads set forth herein indicating that the operation of golf carts is allowed.

Section 2. AUTHORITY

This ordinance is enacted pursuant to the statutory authority vested in the Board of County Commissioners by Florida Statutes Chapters 316 and 125 and the Home Rule Charter for Columbia County, Florida.

Section 3. CODE RELATING TO OPERATION OF GOLF CARTS AMENDED

Chapter 114, Article I, Section 114-2 of the Columbia County Code of Ordinances is hereby amended as reflected in this section. Words that are stricken through shall be removed from the Code of Ordinances while those words that are underlined shall be added. Ellipses (...) indicate portions of the code have been omitted for brevity but should not be included in the Code nor should they indicate any deletion. Unless a deletion or addition is indicated herein, Chapter 114 of the Code of Ordinances shall not be altered by this Ordinance.

Sec. 114-2. - Operation of golf carts.

(a) Definitions.

Golf cart is 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 mph as set forth in F.S. 320.01(22).

(b) Designation of county roads for use by golf carts.

Subject to the restrictions and limitation and complying with aspects and requirements of this section, golf carts may travel on or across the county roads or streets located within all units of the subdivision known as Three Rivers Estates with the exception of Newark Road, the paved portion of Utah Street, Washington Street, and except all other paved roads within the subdivision, including those paved

after the effective date of this section; ~~and~~ may travel on or across said road or streets in the platted lands of the development know as Wilson Springs; ~~and~~ may travel on or across the county roads known as Aloe Court and Merrimack Place in the Cypress Creek subdivision; may travel on or across the county roads known as SE Pebble Creek Terrace, SE Bream Loop, SE Forest Terrace, SE Whistle Loop, SE Polk Lane, SE Bracken Way, SE Jeremy Place, SE Travis Glen, SE Hanover Place, SE Hubble Street, SE Mohawk ay, SE Apache Way, SE Mojave Way, SE Cherokee Way, SE Sandia Way, SE Jonathan Way, SE Ferret Place, SE Post Court, and SE Anastasia Street, and SE Piute Way; and may travel on or across the county roads within all phases or units of the following platted subdivisions:

1. Callaway
2. Woodborough
3. Lake Valley in Woodborough
4. Country Lake in Woodborough
5. The Preserve at Laurel Lake
6. Woodhaven

The county road known as Wilson Springs Road is specifically excluded and off limits for golf carts.

(c) Requirements, limitations and restrictions. In consideration of the public health, safety and welfare, the following golf cart requirements, limitations and restrictions shall apply:

(1) A golf cart may be operated only during the hours between sunrise and sunset.

(2) The golf cart 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.

(3) A golf cart may not be operated on the public roads or streets by any person under the age of 14.

(d) Signage. The county road department shall post signs along the roads where golf carts are allowed advising motorists of the possible presence of golf carts on the roadway.

(e) Enforcement. Golf carts may only operate on the county roads designated in this section if they are in compliance with all requirements of the limitations of this section and F.S. 316.212.

(f) Penalties. A violation of this section is a non-criminal traffic infraction and punishable pursuant to F.S., § 316.212(8).

(g) Territory embraced. This section shall apply only to the designated unincorporated area of Columbia County.

Section 4. SEVERABILITY

If any section, phrase, sentence or portion 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 thereof.

Section 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon a certified copy hereof being filed with the Florida Department of State.

DULY ADOPTED by the Board of County Commissioners of Columbia County, Florida, this ___ day of March 2020.

**BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, FLORIDA**

By: _____
Toby Witt, Chair

Approved as to form and legality:

ATTEST:

Joel F. Foreman, County Attorney

P. Dewitt Cason, Clerk of Court

MEMORANDUM

To: Board Agenda, February 20, 2020

From: Joel F. Foreman

Re: Proposed Ordinance adding Callaway Subdivision for golf cart operation

Date: February 13, 2020

Commissioner Nash has requested an ordinance that would, if adopted, include all county roads within the Callaway Subdivision among the county roads on which operation of golf carts is permitted. A draft ordinance is attached.

An adoption hearing date of March 19 is requested to allow sufficient time to publish notice of this proposed ordinance before adoption.

Recommended motion:

To set an adoption hearing for March 19, 2020 to consider an ordinance to include all roads within Callaway Subdivision for the legal operation of golf carts

The Lake City Reporter
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Lake City, FL 32056
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AFFIDAVIT OF PUBLICATION

Legal Reference: ORDINANCE NO. 2020-02
NOTICE OF ENACTMENT OF OR

STATE OF FLORIDA
COUNTY OF COLUMBIA

Before the undersigned notary public personally appeared Todd L. Wilson, who on oath says that (s)he is Publisher of the Lake City Reporter, a newspaper published at Lake City, Columbia County, Florida; confirms that the attached legal advertisement was published in the Lake City Reporter on the following date(s):

03/05/2020

Affiant

Sworn to and subscribed before me this 5th day of March, 2020


Kathleen A. Riotto

My commission expires August 20, 2022



KATHLEEN A RIOTTO
Commission # GG 229946
Expires August 20, 2022
Bonded Thru Budget Notary Services

NOTICE OF ENACTMENT OF
ORDINANCE
BY THE BOARD OF COUNTY
COMMISSIONERS OF
COLUMBIA COUNTY, FLORI-
DA

NOTICE IS HEREBY GIVEN that the ordinance, which title hereinafter appears, will be considered for enactment by the Board of County Commissioners of Columbia County, Florida, at public hearings on March 19, 2020 at 5:30 p.m., or as soon thereafter as the matter can be heard, in the School Board Administrative Complex located at 372 West Duval Street, Lake City, Florida. A copy of said ordinance may be inspected by any member of the public at the Office of the County Manager, County Administrative Offices located at 135 Northeast Hernando Avenue, Lake City, Florida, during regular business hours. On the date, time and place first above mentioned, all interested persons may appear and be heard with respect to the ordinances. The title of said ordinance reads as follows:

COLUMBIA COUNTY, FLORI-
DA
ORDINANCE NO. 2020-02
AN ORDINANCE OF THE
BOARD OF COUNTY COM-
MISSIONERS OF COLUMBIA
COUNTY, FLORIDA, AMEND-
ING CHAPTER 114, ARTICLE I
OF THE COUNTY CODE OF
ORDINANCES TO ADD TO

THE LIST OF COUNTY
ROADS UPON WHICH OPER-
ATION OF GOLF CARTS IS
PERMITTED AND PROVIDING
AN EFFECTIVE DATE.

The public hearing may be continued to one or more future dates. Any interested party shall be advised that the date, time and place of any continuation of the public hearings shall be announced during the public hearing and that no further notice concerning the matter will be published, unless said continuation exceeds six calendar weeks from the date of the above referenced public hearings.

All persons are advised that, if they decide to appeal any decision made at the public hearing, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings are made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceeding should contact Lisa K. B. Roberts, at least forty-eight (48) hours prior to the commencement of the hearing. Ms. Roberts may be contacted by telephone at (386)758-1005 or by Telecommunication Device for Deaf at (386)758-2139.

566798
March 5, 2020