

RESOLUTION NO. 2012-004

A RESOLUTION OF THE CITY OF OCOEE, FLORIDA, AUTHORIZING THE USE OF GOLF CARTS WITHIN CERTAIN COMMUNITIES AND STREETS MEETING THRESHOLD SAFETY REQUIREMENTS UNDER STATE AND MUNICIPAL LAW; DESIGNATED BY RESOLUTION; ADOPTED BY THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has in place an ordinance authorizing the use of golf carts (the "Golf Cart Ordinance") within certain communities and streets pursuant to the provisions of Article III of Chapter 153 of the Ocoee City Code, said Article being referred to as "Streets and Sidewalks"; and

WHEREAS, the City desires to authorize the operation of golf carts within certain communities and streets meeting certain threshold requirement under State and Municipal law; and

WHEREAS, to protect the health, safety, and welfare of its citizens, the City desires to prohibit the operation of golf carts along roads and thoroughfares incompatible with such operation and regulate the manner and times of the operation of golf carts upon streets subject to City jurisdiction where such operation is authorized; and

WHEREAS, pursuant to Article VIII of the Constitution and the State of Florida, Chapter 166, Florida Statutes, and Section 316.212, Florida Statutes, the City is authorized to adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. Authority. The City Commission of the City of Ocoee has the authority to adopt this Resolution pursuant to Article VIII of the Constitution of the State of Florida and Chapters 166 and 316, Florida Statutes.

SECTION 2. Purpose. The purpose of this Resolution is to specifically designate the following subdivisions as Golf Cart Communities (“Golf Cart Communities”) as defined in the Golf Cart Ordinance: **Grace Park, Town of Ocoee, Maguire’s Subdivision, Municipal Complex Park, Pounds, Marion Park, Hidden Oaks and Admiral Point** and as more fully depicted in Exhibit “A” attached hereto and incorporated herein by this reference.

SECTION 3. Implementation.

A. The City Commission hereby authorizes the operation of golf carts within the Golf Cart Communities based upon its determination that these communities meet the threshold requirements as provided in Section 316.212, Florida Statutes and under related State and Municipal laws.

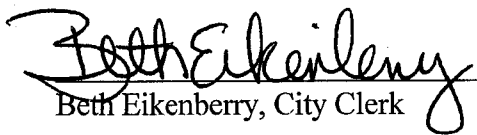
B. The City Manager and Chief of Police are hereby authorized to take such further action as they may deem necessary or desirable in order to implement and enforce the provisions of the Ocoee Golf Cart Ordinance and the provisions of this Resolution. Said action shall include the placement of the requisite signage with the Golf Cart Communities as provided in the Golf Cart Ordinance.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution 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 portion hereto.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED this 10 day of March 2012.

ATTEST:


Beth Eikenberry, City Clerk

APPROVED:

CITY OF OCOEE, FLORIDA


S. Scott Vandergrift, Mayor

(SEAL)

**APPROVED BY THE OCOEE CITY
COMMISSION ON THE ABOVE DATE
UNDER AGENDA ITEM NO. 9**

**FOR USE AND RELIANCE ONLY
BY THE CITY OF OCOEE, FLORIDA;
APPROVED AS TO FORM AND LEGALITY**
this 10th day of March, 2012.


By: 
City Attorney

Exhibit "A"

