SENT TO STATE

BOARD OF COUNTY COMMISSIONERS **ORDINANCE NO. 26-39**

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY CODE OF ORDINANCES; AMENDING CHAPTER 106 TO CREATE ARTICLE IV. "OPERATION OF GOLF CARTS ON MULTIUSE PAVED TRAILS," TO ALLOW FOR AUTHORIZATION BY THE COUNTY FOR THE USE OF GOLF CARTS ON PUBLICLY OWNED PROPERTY PURSUANT TO SECTION 316.212, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY; SEVERABILITY; INCLUSION INTO THE CODE OF ORDINANCES, AND AN EFFECTIVE DATE.

WHEREAS, the regulations provided in this Ordinance promote and enhance the health, safety and welfare of the citizen of the County and the public in general; and

WHEREAS, § 316.212(5), Fla. Stat. (2026), provides that a Golf Cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a Golf Cart may be operated during the hours between sunset and sunrise and the Golf Cart is equipped with headlights, brake lights, turn signals, and windshields; and

WHEREAS, § 316.212(8)(a), Fla. Stat. (2026), expressly allows the County to enact an ordinance relating to Golf Cart operation and equipment which is more restrictive than the provisions enumerated in § 316.212, Fla. Stat., and that applies only to an unlicensed driver; and

WHEREAS, § 316.212(8)(b), Fla. Stat. (2026), expressly allows the County to enact an ordinance relating to Golf Cart operation on sidewalks adjacent to specific segments of County Roads; and

WHEREAS, a determination by the County that a Golf Cart may be operated during the hours between sunset and sunrise, that Golf Carts may be operated on sidewalks adjacent to specific segments of County Roads is a discretionary, planning- and policy- level determination; and

WHEREAS, the Board of County Commissioners conducted a duly noticed public hearing on October 20, 2026, where the Board of County Commissioners considered all oral and written comments received at public hearings, including staff reports and information received during said public hearings and found the proposed amendments consistent with the Pasco County Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

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SECTION 1. Authority.

This ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes, as amended and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact.

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Chapter 106 – Traffic and vehicles, Article IV, Operation of Golf Carts on Multiuse Paved Trails, is hereby created as follows:

ARTICLE IV. Operation of Golf Carts On Multiuse Paved Trails

Sec. 106-59. Short title.

This article shall be known as the Pasco County Operation of Golf Carts on Multiuse Paved Trails Ordinance.

Sec. 106-60. Purpose and intent.

The purpose of this Ordinance is to provide for the safe and orderly operation of golf carts on multiuse paved trails, consistent with the authority conveyed to Pasco County by Section 316.212(8), Florida Statutes, to enact an ordinance related to golf cart operation on sidewalks adjacent to specific segments of county roads or state highways within the unincorporated area of Pasco County. The provisions of this Article do not apply to the operation of golf carts on property not owned by the State or Pasco County, private property or semi-private property such as parking lots. The use of golf carts in these areas is governed by the applicable association or property owner.

Sec. 106-61. Definitions.

For the purposes of this article, the following definitions shall apply in the interpretation, enforcement, and intent of this article:

Authorized Emergency Vehicle means a golf cart of the County Fire Rescue, County Sheriff, or City Police/Fire, and such ambulances and emergency vehicles of county or municipal departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of

Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

Authorized Multiuse Paved Trail means a paved surface, generally 10 feet or more in width, located within a Roadway Corridor, designed for shared use such as by pedestrians, bicyclists, other non-motorized uses, and consistent with this Ordinance, authorized for the use of golf carts. This term shall include all other commonly used names, including but not limited to 'sidewalk,' 'multi-use path,' 'multimodal path,' 'multipurpose path', and 'multipurpose trail' that have been authorized for golf cart use.

County Engineer means that county official designated or recognized to be performing as the Professional Engineer of the County.

Roadway Corridor means a segment of a county road or state highway within the unincorporated area of Pasco County.

Golf Cart means 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 miles per hour. It shall also have the meanings ascribed to them in Chapter 316, Florida Statutes, so as to ensure legal consistency with the applicable provisions of Chapter 316, Florida Statutes.

Sec. 106-62. Designation Procedures.

The following procedures shall be utilized in designating an Authorized Multiuse Paved Trail:

(a) An Applicant shall submit an application to the County. The application shall be accompanied by an administrative or processing fee as may be established by the Board by resolution. The application shall:

(1) Include a map of the multiuse paved trails proposed for golf cart operation and any roadway crossings; and a table identifying (for each segment) the trail width, horizontal and vertical clearances, surface condition, current pedestrian and bicycle usage, and projected golf cart usage if authorization is granted.

(2) In the case of a request for a multiuse paved trail to be designated as an Authorized Paved Multiuse Trail within the boundary of a Community Development District (CDD) or

Homeowner's Association (HOA), the application must be submitted by the board of the CDD or HOA.

(b) Upon receipt of an application, the County Engineer shall:

(1) Review the application and determine whether golf carts may safely share the multiuse paved trail with other users based upon the following:

a. Condition and current use of the multiuse paved trail;

b. Character of the surrounding community;

c. Provision of an overall paved width of at least 10 feet and a minimum clear width of at least 15 feet (inclusive of the paved width); except that the County Engineer may approve a deviation of the required clear width based on topographic conditions.

(2) Consult with the Florida Department of Transportation (FDOT) on multiuse paved trails adjacent to state highways and any proposed crossings of state highways.

(3) Issue a written final determination.

a. A denial determination shall include the written finding of facts for the denial.

b. For approved applications, the County shall update the County's "Golf Cart Network" map and golf cart webpage to identify the Authorized Multiuse Paved Trail designation and shall post appropriate signs or otherwise inform residents that the ordinance exists and applies to such sidewalks.

(c) Revocation. The County Engineer may revoke the designation of a multiuse paved trail as an Authorized Multiuse Paved Trail upon determination that continued operation of golf carts on the Authorized Multiuse Paved Trail presents a safety concern or adversely impacts public health, safety, or welfare.

(d) The County shall maintain a "Golf Cart Network" map of Authorized Multiuse Paved Trails within Pasco County and shall publish the map on the County's website.

Sec. 106-63. Golf Cart Operation and Equipment.

(a) Location. Golf carts may only be operated in a manner that does not pose a direct threat to the safe

use of the trail upon those Multiuse Paved Trails that have been authorized for such use. The operation of a golf cart upon an unauthorized multiuse paved trail is prohibited except where a golf cart is utilized as power-driven mobility device as defined in the Americans with Disabilities Act regulations at 28 C.F.R. § 35.104.

(b) Operator. All golf cart operators must comply with § 316.212(7), Florida Statutes. Pursuant to Statute, a golf cart may not be operated on public roads or streets by a person:

(1) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license.

(2) Who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification.

(c) Operating Conduct. The operation of a golf cart upon an Authorized Multiuse Paved Trail shall:

(1) Not exceed a speed of 15 miles per hour;

(2) Yield the right-of-way to pedestrians and bicycles upon the Authorized Multiuse Paved Trail by exiting the Authorized Multiuse Paved Trail, slowing down, or stopping as necessary; and

(3) Not be operated in a reckless or careless manner.

(d) Time of Day and Equipment. A golf cart may be operated on an Authorized Multiuse Paved Trail during the hours between sunrise and sunset provided that the golf cart is equipped as required by § 316.212(6), Florida Statutes and has a functional horn or other warning device. Additionally, a golf cart may be operated on an Authorized Multiuse Paved Trail during the hours between sunset and sunrise if the golf cart is further equipped with headlights, brake lights, turn signals, and a windshield.

(e) The Florida Uniform Traffic Control Law (Ch. 316, Florida Statutes) shall apply where applicable.

Sec. 106-64. Geographic Limits of Code.

The Code shall apply to the unincorporated areas of Pasco County.

Sec. 106-65. Enforcement and Penalties.

Violations of this Code may be enforced by the Pasco County Sheriff or Code Enforcement Officers by any method allowable in law or equity, including but not limited to the following:

(a) Uniform Traffic Citations shall only be used for violations of this Ordinance where there is also a

violation of the Florida Uniform Traffic Control Law. All other violations shall be enforced in conformity with the provisions of Chapter 1 of this Code.

(b) The enforcement provisions of this Section are supplemental in nature and are not intended to prohibit the County from seeking any remedy available at law or equity.

SECTION 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 5. Inclusion in the Code of Ordinances.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pasco County Code of Ordinances and the word "Ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. Effective Date.

A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 20th day of October 2026.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

(SEAL)

ATTEST: JUNE 2nd 1887 ORGANIZED COUNTY COMMISSIONERS PASCO COUNTY, FLORIDA

BCC 10-20-26 - PDP27-1048

NIKKI ALVAREZ-SOWLES, ESQ
PASCO COUNTY CLERK & COMPTROLLER

JACK MARIANO, CHAIRMAN

APPROVED IN SESSION

DATE OCT 20 2026

PASCO COUNTY BCC

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 21, 2026

Nikki Alvarez-Sowles, Esq.
County Clerk and Comptroller
Pasco County
14236 6th Street, Suite 201
Dade City, Florida 33523

Dear Nikki Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 26-39, which was filed in this office on October 21, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp