



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Capital Projects/ Engineering/Public Works

ACM: Cassandra Ogden

DATE: June 6, 2023

SUBJECT

Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation, amending Chapter 18, Article V, "Motor Vehicles and Traffic," of the City of Denton Code of Ordinances, to permit the operation of golf carts and off-highway vehicles on University Campus Streets adjacent to the University of North Texas (UNT) and Texas Woman's University (TWU) campus; providing a repealer clause; providing a severability clause; providing a penalty clause; providing for publication; providing codification; and providing an effective date.

BACKGROUND

A golf cart as defined by the Texas Transportation Code (TTC) is a motor vehicle designed by the manufacturer primarily for use on a golf course (Sec. 551.401, 551-402-5). A golf cart is considered a recreational off-highway vehicle and the TTC differentiates between all-terrain vehicles, recreational off-highway vehicles, and utility vehicles.

Currently, the TTC allows for golf cart use on municipal streets under the following circumstances (Sec. 551.403):

- In a master-planned community that has in place a set of restrictive covenants,
- On a public or private beach, or
- On a highway where the speed limit is less than 35 miles per hour, during the daytime, as long as operation is within five miles of a golf course and it is used for transportation to and from the course.

Currently, the TTC allows for off-highway vehicles use on municipal streets under the following circumstances (Sec. 551A.053):

(a) In addition to the operation authorized by Section 551A.055, the governing body of a municipality may allow an operator to operate an unregistered off-highway vehicle on all or part of a highway that:

- is in the corporate boundaries of the municipality; and
- has a posted speed limit of not more than 35 miles per hour.

The term "master-planned community" is not defined by the State of Texas. According to a ruling from the Texas Attorney General, this is a term of art and the only direction from the court is that a master planned community is a typical residential development zoned as planned unit developments with an association to enforce covenants and restrictions, with membership being mandatory for those holding individual units

within the community. There are only two areas in the City of Denton that are zoned as master-planned communities, which are Cole Ranch/Hunter Ranch and Hills of Denton/Hills of Denton North.

Currently, there are only two golf courses within the City limits, Timberlinks located at 5201 Par Drive and Wildhorse located at 9448 Ed Robson Circle. Additionally, the courses at the Denton Country Club in Argyle and Oakmont Country Club in Corinth may be within five miles of certain residences in the City of Denton.

Beyond the statute, a municipality may allow operation of a golf cart off-highway vehicle on all or part of a highway that is in the incorporated limits and the speed limit does not exceed 35 miles per hour. This would require that the golf cart or off-highway vehicle be equipped with headlamps, taillamps, reflectors, parking brake, and mirrors. Golf carts and off-highway vehicles would require a license plate issued by the Texas Department of Motor Vehicles (Sec. 551.402) to operate on a City roadway. This license plate does not equate to registration and can be obtained through the Denton County Tax Office for \$10.00.

Given that the City of Denton is proposing to limit use outside of what is already permitted in the TTC only to UNT and TWU, City staff is proposing the final provisions to the Code of Ordinances:

- The operator of a golf cart or off-highway vehicles must hold a valid Texas Driver's License,
- The operator of a golf cart or off-highway vehicle must have liability insurance consistent with the Chapter 601 TTC regulating financial responsibility,
- The operator of a golf cart or off-highway vehicles must have TWU or UNT issued identification card, and
- Each golf cart operated on a City roadway (outside of a master planned community or other TTC compliant criteria) must display a UNT or TWU officially authorized logo.

In the City of Denton, both UNT and TWU use golf carts or off-highway vehicles to conduct university business. The University Campus Streets that bisect the campuses are City streets, which limits their usefulness as the current law prohibits golf cart or off-highway vehicles use on City streets. Among the fleet of both universities, there are golf carts and off-highway vehicles that do not have the required equipment for on-street operation. All UNT and TWU golf carts and off-highway vehicles that would be used on City streets would need to be retrofitted with the appropriate safety equipment. Both universities have also incorporated off-highway vehicles into their fleets, which would not be authorized by law for use on City streets.

RECOMMENDATION

Staff recommends adoption of the proposed ordinance amending Chapter 18, Article V, "Motor Vehicle and Traffic," of the City of Denton Code of Ordinances to permit the operation of golf carts and off-highway vehicles on University Campus Streets adjacent to UNT and TWU where the speed limits per Ordinance 22-1901 are posted at 20 mph.

EXHIBITS

Exhibit 1 – Agenda Information Sheet
Exhibit 2 – Ordinance
Exhibit 3 – Presentation

Respectfully submitted:
Rebecca P. Diviney, PE
City Engineer/General Manager of Public Works