

RESOLUTION NO. 2020-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CROSS CREEK COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE DESIGNATION OF CERTAIN DISTRICT ROADS AND AREAS WITHIN CROSS CREEK FOR GOLF CART AND LOW SPEED VEHICLE USE; MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR SIGNAGE ON SAID DISTRICT ROADS AND AREAS; RESTRICTING THE HOURS OF OPERATION OF GOLF CARTS ON DISTRICT ROADS AND AREAS; IMPOSING REQUIREMENTS FOR GOLF CARTS, LOW SPEED VEHICLES AND GOLF CART/LOW SPEED VEHICLE DRIVERS OPERATING ON DISTRICT ROADS AND AREAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 316.212, Florida Statutes, a golf cart (defined as not capable of exceeding 20 miles per hour) may be operated upon a public road which has been designated for golf cart use by the responsible local government entity; and

WHEREAS, Section 316.2122, Florida Statutes, governs the operation of low speed vehicles (any four wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour); and

WHEREAS, the Board of Supervisors (the "Board") of Cross Creek Community Development District (the "District") has determined that the operation of golf carts and low speed vehicles within the right-of-way of certain roads located within the District will not impede the safe and efficient flow of motor vehicular traffic; and

WHEREAS, the Board of the District has determined that the speed, volume and character of motor vehicular traffic using certain roads and designated areas located within the District will allow golf carts and low speed vehicles (as both terms are defined by applicable Florida Statutes) that may travel along or cross these roads and areas with reasonable safety; and

WHEREAS, the Board of the District has determined that it is in the interests of the District, its residents and the public to designate certain roads and additional areas for golf cart and low speed vehicle usage; and

WHEREAS, the Board wishes to adopt policies governing golf cart and low speed vehicle usage on District roads and designated additional District areas;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE DISTRICT AS FOLLOWS:

1. **Incorporation of Recitals.** The recitals set forth above are incorporated herein in their entirety.

2. **Designation of Certain Areas and Roadways.** The portion of the roadways located internal to the District shall be designated for golf cart and low speed vehicle use as well as certain designated and posted multipurpose areas for golf cart usage. Golf cart and low speed vehicle usage shall not be allowed on any other District owned areas, including sidewalks, unless so designated.
3. **Signage and Right of Way.** The District shall post appropriate signage on the subject areas and roadways designated for such use, to warn motorists. On non-roadway areas, low speed vehicles shall not be allowed but such areas may in certain cases be designated for golf cart use. If so designated for golf cart usage, pedestrians will have the right of way and golf cart operators will yield to such individuals.
4. **Golf Cart Hours of Operation.** Golf carts with headlights, brake lights, turn signals and a windshield may be operated on the designated District roads and areas referenced herein at all hours of the day. Golf carts lacking the aforementioned equipment may be operated only during the hours between sunrise and sunset.
5. **Low Speed Vehicle Requirements and Hours of Operation.** Low speed vehicles must be registered, titled and insured in conformance with Florida Statutes and equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers. As long as so equipped, low speed vehicles may be operated on the designated District roads referenced herein at all hours of the day.
6. **Requirements for Golf Carts Using Designated Roadways.** All golf carts using roadways and areas which are designated herein for golf cart use, no matter what time of day 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.
7. **Requirements for Golf Cart Operators.** Operators of golf carts on District roads and designated areas must be at least age fourteen (14), have proper insurance, which provides coverage for operation of the golf cart on District roads and designated areas and must obey all applicable traffic laws and posted signs.
8. **Requirements for Low Speed Vehicle Operators.** An operator of a low speed vehicle on District roads must have in his or her possession a valid driver license, proper insurance and must obey all applicable traffic laws and posted signs.
9. **Conflict with County Jurisdiction and/or Authority.** To the extent that any provision of this Resolution is preempted by or conflicts with the jurisdiction or authority of the State of Florida, the Florida Department of Highway Safety and Motor Vehicles and/or Manatee County over the areas designated herein under any State or County law or regulation, the conflicting provision(s) of this Resolution shall have no effect.
10. **Severability.** The provisions of this Resolution are hereby declared to be severable. If any provision of this Resolution is invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision hereof.

11. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 23 DAY OF October, 2019.



Charles Tokarz, Chairman
Cross Creek Community Development District



Vivian Carvalho, Secretary
Cross Creek Community Development District