

AN ORDINANCE

AN ORDINANCE ESTABLISHING HOURS OF OPERATION FOR OUTDOOR GO-KART TRACKS IN GREENVILLE COUNTY.

WHEREAS, Greenville County Council is authorized to enact regulations that provide for the general health and welfare of its citizens; and

WHEREAS, Greenville County Council is concerned about the late-night hours of operation of outdoor go-kart tracks in the County, which can disturb the quiet, comfort, peace or repose of any person living in proximity to a go-kart track; and

WHEREAS, Greenville County Council find that reasonable hours of operation for go-kart tracks in the County are in the best interests of its citizens.

NOW THEREFORE, BE IT ORDAINED by the Greenville County Council:

Section 1. Definitions.

(A) “Go-kart” means a miniature self-propelled vehicle designed to be independently operated by the person riding therein and includes the term “cart”, “go-cart”, or “kart.” For purposes of this ordinance, go-karts are vehicles that have operating engines rated below 20 hp (horsepower).

(B) “Outdoor Go-kart facility” means an outdoor facility, track or course upon which racing or timed events are conducted with go-karts.

Section 2. Prohibition. It shall be unlawful for an outdoor go-kart facility to operate between the hours of 12:00 midnight and 9:00 A.M. in Greenville County.

Section 3. Penalties.

(A) Any person, firm, corporation or agent who shall violate the provisions of this Ordinance shall be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed or continued.

(B) The County Attorney’s office shall be authorized to pursue any additional or alternative civil remedies as appropriate to ensure timely and ongoing compliance of Section 2 of this Ordinance. In addition, any business establishment found to be in violation of this Ordinance

shall be subject to having its business registration suspended or revoked in accordance with procedures otherwise applicable to such proceedings.

Section 4. **Severability.** If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 5. **Effective Date.** This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2020.

Herman G. Kirven, Jr., Chairman
Greenville County Council

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator