

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. A-18

An Ordinance authorizing the use of under-speed vehicles – golf carts on streets in the City of Orrville, Ohio, providing an inspection program therefore and repealing inconsistent legislation.

WHEREAS, for the past several years, the City has observed an increase in the use of golf carts on City streets; and

WHEREAS, Substitute Senate Bill 114, which was passed by the 129th General Assembly and signed into law by Governor Kasich in 2013, imposes certain requirements on municipalities that authorize the use of such vehicles on municipal streets; and

WHEREAS, Substitute Senate Bill 114 was codified in Title 45 of the Ohio Revised Code, and the relevant provisions thereof became effective on January 1, 2017; and

WHEREAS, the City must revise its local laws and institute an inspection program for golf carts as required by Substitute Senate Bill 114, to allow such vehicles on City streets.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Orrville, Ohio, that:

SECTION ONE

Subject to the requirements set forth herein, the use of “under-speed vehicles,” (commonly referred to as “golf carts”) shall be permitted on City streets where the speed limit is thirty-five miles per hour or less.

“Under-speed vehicle” means a three- or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds as set forth in Ohio Revised Code §4501.01(XX).

SECTION TWO

A. Prior to the operation of an Under Speed Vehicle on City streets, the Under Speed Vehicle must pass an inspection conducted by the Orrville Police Department (“OPD”) that complies with inspection requirements established by the Department of Public Safety.

B. At the time of the inspection, the owner/operator of the Under Speed Vehicle must present the following to OPD: (1) a valid driver’s license, (2) proof of insurance relating to the use of the Under Speed Vehicle, (3) proof of registration, and (4) gross vehicle weight.

C. If an Under Speed Vehicle passes inspection, the owner/operator will be permitted to operate the Under Speed Vehicle on City streets.

D. The OPD shall have the right to not issue a permit to any applicant for any or no reason. Further, the OPD shall have the right to revoke any permit, for any or no reason, that had been previously issued.

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SECTION THREE

Prior to the operation of an Under Speed Vehicle on City streets, the vehicle must be registered in accordance with Ohio Revised Code Chapter 4503, and titled in accordance with Ohio Revised Code Chapter 4505. Out-of-state Under Speed Vehicles are not permitted on City streets.

SECTION FOUR

All Under Speed Vehicles must be operated in accordance with all applicable federal, state, and local traffic laws. No one shall use any Under Speed Vehicles on any public sidewalks nor in any public parks. Anyone who operates an Under Speed Vehicle on City streets must have a valid driver's license. All child restraints must be used in accordance with all applicable federal, state, and local traffic laws. All seatbelts are required to be used in accordance with all applicable federal, state, and local traffic laws as they apply to automobiles and/or motor vehicles as defined under the Ohio Revised Code.

SECTION FIVE

A. All Under Speed Vehicles, at a minimum, must have the following *properly functioning* equipment:

1. Brake lights (2), tail lights (2), head lights (2), turn signals (2 front; 2 rear), and a white rear license plate light;
2. A horn;
3. A rearview mirror;
4. A windshield;
5. Brakes and a brake system;
6. A steering mechanism; and
7. Appropriate tires that are free of major bumps, bulges, breaks, or any other unsafe condition.
8. Must have one (1) seat belt per occupant of the vehicle.

SECTION SIX

A violation of this ordinance shall be a minor misdemeanor punishable by a fine of not less than one-hundred dollars (\$100.00). Each day of non-compliance shall constitute a separate violation. Municipal vehicles shall be exempted from this Ordinance. Municipal employees shall be exempted from this Ordinance as long as the municipal employee(s) is/are operating a municipal vehicle in accordance with his/her/their official duties.

SECTION SEVEN

All City legislation inconsistent herewith, is hereby repealed.

SECTION EIGHT

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

RECORD OF ORDINANCES

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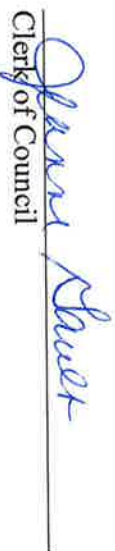
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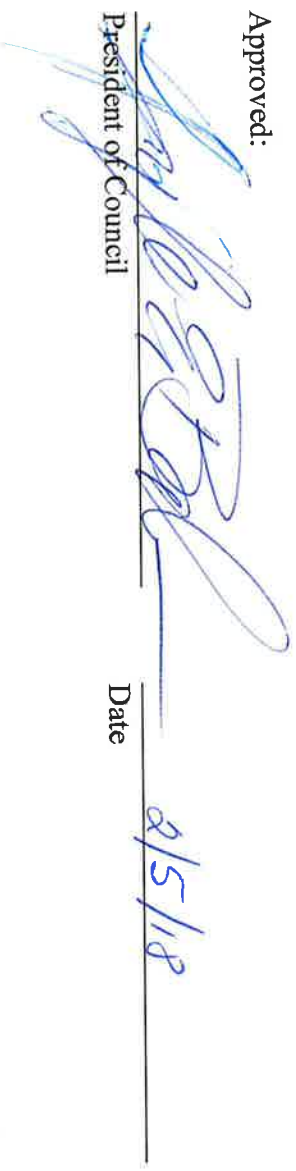
Passed this 5 day of February, 2018.


Mayor

Attest:


Clerk of Council

Approved:


President of Council

Date

2/5/18