

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

## ORDINANCE F-20

**An Ordinance authorizing the use of Utility Task Vehicles (UTV) 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 Utility Task Vehicles on City streets; and

WHEREAS, Substitute Senate Bill 114, which was passed by the 129<sup>th</sup> 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 UTV Vehicles 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 1: Subject to the requirements set forth herein, the use of "Utility Task Vehicles" shall be permitted on City streets where the speed limit is thirty-five miles per hour or less. "Utility Task Vehicle" means a four or six-wheeled vehicle equipped with a steering wheel, bucket or bench seating with seatbelts, foot pedals, and a roll bar or cage.

Section 2:

- A. Prior to the operation of a Utility Task Vehicle on City streets, the Utility Task 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 Utility Task Vehicle must present the following to OPD: (1) a valid driver's license with Orrville mailing address, (2) proof of insurance relating to the use of the Utility Task Vehicle, (3) proof of registration, and (4) gross vehicle weight.
- C. The cost for an inspection shall be \$50.00. Inspections shall be done by appointment only at Orrville Police Department, 207 N. Main St., Orrville, Ohio.
- D. If a Utility Task Vehicle passes inspection, including the requisite documentation, the owner/operator will be permitted to operate the Utility Task Vehicle on City streets.
- E. The OPD shall have the right to refuse issuance of 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 3: Prior to the operation of a Utility Task 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.

Section 4: All Utility Task Vehicles must be operated in accordance with all applicable federal, state, and local traffic laws. No one shall use any Utility Task Vehicles on any public sidewalks nor in any public parks. Anyone who operates a Utility Task Vehicle on City streets must have a valid driver's license. Drivers must be 18 years of age or older. Any passenger that is required to utilize child restraints is prohibited from riding in a UTV. 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 5:

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

1. Brake lights (2), taillights (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. Windshield wipers;
6. Brakes and a brake system;
7. A steering mechanism; and
8. Appropriate tires that are free of major bumps, bulges, breaks, or any other unsafe condition.
9. Must have one (1) seat belt per occupant of the vehicle.

Section 6: 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 7: All City legislation inconsistent herewith, is hereby repealed.

Section 8: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 19 day of January 2021, 2020.

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\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk of Council

Approved:

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Date