

Ordinance No. 1474

Passed Nov 3, 2015

ORDINANCE NO. 1474

AN ORDINANCE ENACTING SECTION 72.199 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GLANDORF, OHIO TO PERMIT AND REGULATE THE OPERATION OF CERTAIN GOLF CARTS, UTILITY VEHICLES, AND OTHER UNDER SPEED VEHICLES IN THE VILLAGE OF GLANDORF, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Glandorf Council recognizes the growing popularity and trend of using golf carts adapted for street use as an acceptable mode of transportation in the Village of Glandorf; and

WHEREAS, the Village of Glandorf Council recognizes and accepts that existing Ohio Revised Code and Ohio Administrative Code addresses various aspects of golf cart inspection, titling, registration, and use; and

WHEREAS, the Village of Glandorf Council desires to permit and regulate the operation of golf carts, utility, and other speed vehicles in the Village of Glandorf, Ohio; and

WHEREAS, the Village of Glandorf Council desires to establish rules regulating the operations, insurance, inspection, and registration of golf carts, utility, and under speed vehicles, and providing for a penalty for violating the said rules and regulations, as relating to the Ohio Revised Code and Bureau of Motor Vehicles requirements.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GLANDORF, OHIO:

SECTION 1. That the Codified Ordinances is hereby enacted to read as follows:

(A) DEFINITIONS

- (1) "Golf cart" is defined as a vehicle powered by gas or electricity and is the type of vehicle typically operated on a golf course and includes under speed vehicles, with an attainable speed in one mile 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.
- (2) "Low Speed Vehicle" means a three or four wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds.
- (3) "Utility Vehicle" means a self-propelled vehicle designated with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activity.
- (4) "Operator" means any person who operates or is in actual physical control of a golf cart, utility vehicle, or other low speed vehicle.
- (5) "Owner" means any person or entity, other than a lien holder or dealer having title to a golf cart, utility vehicle, or other low speed vehicle or legal rights to possession thereof.

(B) EQUIPMENT

- (1) Golf carts, utility vehicles, or other low speed vehicles operated on the streets, highways, and public property within the Village of Glandorf, Ohio, shall have a minimum of the following functional equipment there on:
 - (a) At least one working rear red colored tail light;
 - (b) License plates in the front and rear of the golf cart, bracketed to the cart;

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- (c) A light to illuminate the rear license plate and make the plate legible from a distance of 50 feet;
- (d) At least one working brake light;
- (e) Two headlights, white or clear in color;
- (f) A horn;
- (g) A rearview mirror;
- (h) A windshield;
- (i) Turn signals;
- (j) Brakes sufficient to stop within 40 feet;
- (k) An emergency brake sufficient to hold the vehicle on any grade;
- (l) Working exhaust system if the unit has an internal combustion engine;

(2) Whoever violates this section shall be guilty of a minor misdemeanor and fined not more than \$100.00.

(C) LICENSING REQUIREMENTS OF OPERATOR

- (1) The operator of a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property in the Village of Glandorf shall have a valid driver's license.
- (2) The operator of a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property in the Village of Glandorf shall be no less than 16 years of age.
- (3) Whoever violates this Section shall be guilty of a minor misdemeanor, and subject to a fine of not more than \$100.00.

(D) INSURANCE REQUIREMENTS OF OWNER AND OPERATOR

- (1) The owner of a golf cart, utility vehicle, or other low speed vehicle that is driven on public roadways or on public property in the Village of Glandorf shall carry liability insurance thereon as required by the Ohio Revised Code 4509.101 (A)(1).
- (2) The operator of a golf cart, utility vehicle, or other low speed vehicle that is driven on public roadways or on public property shall have in his possession proof of insurance while operating the golf cart.
- (3) Whoever violates this section shall be guilty of a minor misdemeanor, and subject to a fine of not more than \$100.00.

(E) INSPECTION AND TITLE REQUIREMENTS

- (1) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property in the Village of Glandorf without first obtaining an inspection by the Chief of Police, the County Sheriff, or the law enforcement official of another jurisdiction within the State of Ohio to ensure compliance with State laws and this ordinance.
- (2) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on the public roadways or on public property in the Village of Glandorf without a Certificate of Inspection in his possession.
- (3) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property without first obtaining a Certificate of Title from the Clerk of Courts.
- (4) Whoever violates this section shall be guilty of a minor misdemeanor and fined not more than \$100.00.

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(F) PROHIBITED ACTS

- (1) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property in the Village of Glandorf without first ensuring all occupants are securely seated in a fixed seat and wearing all available elements of a properly adjusted safety belt that is fixed to the vehicle.
- (2) No person, being an operator of a golf cart, utility vehicle, or other low speed vehicle operated on public roadways or on public property in the Village of Glandorf, shall fail to wear all available elements of a properly adjusted safety belt that is fixed to the vehicle.
- (3) No person, being a passenger of a golf cart, utility vehicle, or other low speed vehicle operated on public roadways or on public property in the Village of Glandorf, shall fail to wear all available elements of a properly adjusted safety belt that is fixed to the vehicle.
- (4) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on restricted areas of the public bicycle path, except municipal employees operating municipal vehicles in accordance with their duties.
- (5) No person shall operate a golf cart, utility vehicle, or other low speed vehicle that has an attainable top speed in excess of 25 mph on a public roadway or on public property.
- (6) Whoever violates this section shall be guilty of a minor misdemeanor and fined accordingly;
 - (a) A violation of sections F(1), F(4), and F(5) of this ordinance shall be guilty of a minor misdemeanor and fined not more than \$100.00;
 - (b) A violation of Section F(2) of this ordinance shall be guilty of a minor misdemeanor and fined not more than \$100.00;
 - (c) A violation of Section F(3) of this ordinance shall be guilty of a minor misdemeanor and fined not more than \$100.00;

(G) ACCIDENT REPORTS

- (1) The owner or operator of a golf cart, utility vehicle, or other low speed vehicle involved in any accident resulting in injury or death to any person shall immediately report the accident to the police department.
- (2) The owner or operator of a golf cart, utility vehicle, or other low speed vehicle involved in any accident resulting in damage to the property of any person in excess of \$100.00 shall report the accident within 24 hours to the Police Department.
- (3) Whoever violates this section shall be guilty of a first degree misdemeanor and subject to a fine of not more than \$1,000.00 and imprisonment of not more than 6 months.

SECTION 2. That an emergency exists in the operations of the Village of Glandorf whereby failure to act will be detrimental to the public health, welfare and safety of the inhabitants thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

RECORD OF ORDINANCES

0179

Dayton Legal Blank, Inc.

Form No. 30043

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SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: November 3, 2015

ATTEST:


Marilyn Ellerbrock, Clerk

APPROVED:


Gene Warnecke, Mayor