

ORDINANCE NO. 16 – 1136

**AN ORDINANCE TO AMEND CHAPTER 377 OF THE VILLAGE
ORDINANCES REGARDING THE REQUIREMENTS FOR THE OPERATION
OF A GOLF CART IN THE VILLAGE OF RUSSELLS POINT, LOGAN
COUNTY, OHIO**

WHEREAS, this Council is committed to promoting safety within the Village and among its residents; and

WHEREAS, the legislative authority of the Village of Russells Point, Ohio has previously enacted an ordinance to permit the operation of golf carts in the Village; and

WHEREAS, the legislative authority of the Village of Russells Point hereby declares that it is in the best interest of this Village to amend the ordinance which established the requirements for the operation of golf carts on the streets of the Village of Russells Point, Ohio; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Russells Point, Logan County, Ohio, that:

SECTION I: Title NINE, Chapter 377 of the Village of Russells Point Codified Ordinances now shall be written as follows:

377.01 DEFINITIONS.

(a) "Dealer" includes all persons and firms that are regularly engaged in the business of selling, displaying, offering for sale, or dealing in golf carts, at an established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in golf carts.

~~(b)~~ (b) "Golf cart" means a motor vehicle, as that term is defined in Ohio R.C. 4501.01(B), that has not less than three wheels in contact with the ground, that has an unladen weight of less than one thousand eight hundred pounds, that is designed to be and is operated at not more than thirty-five miles per hour and that is designed to carry not more than four (4) persons including the driver. A golf cart is not an ATV, a motorized all-terrain utility vehicle (commonly referred to as a gator), a tractor or go-cart.

~~(c)~~ (c) "Operator" includes any person who operates or is in actual physical control of a motor vehicle or under speed vehicle upon the public roadways or highways.

~~(d)~~ (d) "Owner" means a person that possesses the ownership title, or some other proof of ownership, to a golf cart.

~~(e)~~ (e) Any term not defined in this section shall have the same meaning as defined in the Ohio Revised Code.

377.02 EQUIPMENT.

Equipment required for a golf cart to be operated within the Village Corporation limits shall comply with the inspection requirements set forth by the Logan County Sheriff's Office to obtain a certificate of inspection in addition to requirements pursuant to the Ohio Administrative Code and the Ohio Revised Code governing the equipment and operation of motor vehicles and under speed vehicles.

377.03 LICENSING REQUIREMENTS OF OPERATOR.

- (a) No person who is less than 16 years of age shall operate a golf cart.
- (b) Any person operating a golf cart must hold a valid current motor vehicle driver's license.

377.04 PERMIT TO OPERATE WITHIN VILLAGE CORPORATION LIMITS.

(a) An owner of a golf cart must apply to the Village of Russells Point to obtain a permit to operate a golf cart within the Village Corporation Limits. The owner shall submit the following to the Village before a permit will be issued to operate a golf cart in the Village:

~~(1) A copy of the certificate of inspection issued by The Logan County Sheriffs Office;~~

~~(2) (1) Proof of current insurance liability coverage;~~

~~(3) (2) A copy of a current valid registration for the golf cart;~~

~~(4) (3) A permit fee of \$25.00.~~

(b) A permit issued under this chapter shall be issued to the owner of the golf cart.

(c) Each permit shall be issued on an annual basis and begin on the first day of May of the current year the permit is issued and expire on the last day of April of the following year.

(d) No person shall alter a permit or possess a permit that has been altered.

(e) No person shall procure or attempt to procure a permit license by fraud, deceit, misrepresentation, or any false statement.

(f) The permit issued under this chapter will be issued in the form of two permit decals and shall be displayed on the inspected golf cart on the lower driver side of the front windshield and on the passenger side rear panel of the golf cart. The decals shall contain a permit number and must be kept clean and visible at all times.

(4) A permit may be issued to a dealer of golf carts if the dealer has met the following conditions for a permit:

(i) A permit application has been made to the Village on a dealer form established by the Village;

(ii) The dealer provides proof of current insurance liability coverage for any golf carts owned by dealer;

(iii) A permit fee of \$50.00 is paid to the village.

(5) A permit issued under this section for a dealer shall be issued on an annual basis and begin on the first day of May of the current year the permit is issued and expire on the last day of April of the following year.

(6) A permit issued under this section for a dealer may be used for any golf cart that the dealer is proposing to sell. Said permit shall be valid only when a golf cart is being operated by the dealer or a customer of the dealer for the purpose of a test drive.

377.05 OPERATION.

(a) No person shall operate a golf cart upon any public roadway in the Village where the posted speed limit is greater than 35 miles per hour;

(b) No person shall operate a golf cart upon any portion of U.S. Route 33 within the Village Corporation Limits. Provided, however, that the operator of a golf cart shall cross U.S. Route 33 only at the intersection where the traffic light is located at State Route 708;

(c) No person shall operate a golf cart on a sidewalk;

(d) No person shall operate a golf cart at such an unreasonably slow speed as to impede or block the normal and reasonable movement of traffic, except when stopping or reducing speed is necessary for safe operation or to comply with law;

(e) No person shall operate a golf cart within the Village of Russells Point corporation limits without obtaining both a Certificate of Inspection issued by local law enforcement personnel

authorized by the Logan County Sheriff's office and a permit issued by the Village of Russells Point issued in accordance with this Chapter.

(f) The owner of a golf cart shall be responsible for any actions of an operator of the owner's golf cart. An owner of a golf cart shall ensure compliance, by an operator of the owner's golf cart, with this chapter and the Ohio Revised Code.

(g) Notwithstanding the definition of golf cart in this chapter, a motorized all-terrain utility vehicle may be operated within the Village by any employee of the Village that is using the motorized all-terrain utility vehicle for official Village business.

377.06 COMPLIANCE.

Compliance with this chapter shall be in addition to, rather than in lieu of, any applicable provisions of State law relative to the operation of motor vehicles and under speed vehicles.

377.99 PENALTY.

(a) Whoever violates this chapter is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this chapter is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this chapter is guilty of a misdemeanor of the third degree.

(b) Violations of this chapter or any traffic violations under the Ohio Revised Code may result in an operator's permit issued under this chapter being revoked and may result in the vehicle being impounded in accordance with the Ohio Revised Code.

SECTION II: 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 of the Ohio Revised Code.

SECTION III: That this ordinance shall, therefore, be in force and take effect upon its passage and signature by the Mayor.

John Huffman, President Pro Tem

Robin Reames, Mayor

Attested: _____
Jeff Weidner, Fiscal Officer

Approved as to Form:
Robert N. Eshenbaugh Jr.
Village Solicitor