

ORDINANCE 2019-16

AN ORDINANCE TO REGULATE UNDER-SPEED VEHICLES, INCLUDING GOLF CARTS IN THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO

WHEREAS, the members of the community have expressed a desire to operate golf carts within the corporation of the Village of Commercial Point, Pickaway County, Ohio; and

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

WHEREAS, the legislative authority of the Village of Commercial Point hereby declares that it is in the best interest of this Village to enact requirements for the operation of under-speed vehicles, including golf carts on the streets of the Village of Commercial Point, Ohio.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Commercial Point, Pickaway County, Ohio, as follows:

SECTION I: That Part Four, Title Six of the Village of Commercial Point Codified Ordinances now shall be written as follows:

450.01 DEFINITIONS

- (a) "Golf cart" or "Under-Speed Vehicle" or USV is a motor vehicle as that term is defined under Ohio Revised Code 4501.01 (B)
- (b) "Operator" has the same meaning as set forth in Ohio Revised Code 4501.01 (X).
- (c) "Vehicle" has the same meaning as set forth in Ohio Revised Code 4501.01 (A)
- (d) "Low-Speed Vehicle" or LSV is a motor vehicle as that term is defined under Ohio Revised Code 4501.01 (B)
- (e) Any term not defined in this section shall have the same meaning as defined in the Ohio Revised Code.

450.02 INSPECTION

Equipment required for a golf cart to be operated within the Village corporation limits shall comply with the inspection requirements set forth by the Village of Commercial Point Police Department 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. If the Commercial Point Police Department deem the vehicle has passed all inspections, a Certificate of Inspection will be issued to the owner of the vehicle. Inspections of

the golf carts will be done by appointment. All golf carts must be inspected, titled, insured and registered in order to operate on a public street or property.

450.03 OPERATION

- (a) No person under the age of 18 shall operate an Under Speed Vehicle including golf carts. Each operator must hold a valid Ohio Driver's license.
- (b) 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;
- (c) No person shall operate a golf cart on a sidewalk or designated walkpath:
- (d) No person shall operate a golf cart at a speed that impedes or blocks the normal and reasonable movement of traffic, except when stopping or reducing speed is necessary for safe operation or to comply with the law;
- (e) No person shall operate a golf cart within the Village of Commercial Point corporation limits without obtaining a Certificate of Inspection issued by the Village of Commercial Point Police Department;
- (f) Golf carts crossing Village streets between holes at Foxfire Golf Course, shall be permitted regardless of compliance with section 450.03 (c)-(f) of this Ordinance;
- (g) The owner of the golf cart shall be responsible for any actions of an operator of the owner's golf cart.
- (h) An owner of a golf cart shall ensure compliance, by an operator of the owner's golf cart, with this ordinance and the Ohio Revised Code.
- (i) Notwithstanding the definition of golf cart in this chapter, a motorized all-terrain utility vehicle, golf cart, or other USV may be operated within the Village by any employee of the Village or Scioto Township for official Village or Scioto Township business, or by any official volunteer of a Village recognized event.

450.05 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.

450.06 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) Violation 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 2: 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, 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.

Vote on Suspension of Readings:

Motion by: _____ 2nd _____
Roll Call:

<input type="checkbox"/> Ben Townsend	<input type="checkbox"/> Scott O'Neil	<input type="checkbox"/> Bruce Moore
<input type="checkbox"/> Aaron Grassel	<input type="checkbox"/> Laura Wolfe	<input type="checkbox"/> Jason Thompson

Vote on Passage of the Ordinance:

Motion by: Scott O'Neil 2nd Laura Wolfe

Roll Call:

<u>Yes</u> Ben Townsend	<u>Yes</u> Scott O'Neil	<u>No</u> Bruce Moore
<u>Yes</u> Aaron Grassel	<u>Yes</u> Laura Wolfe	<input type="checkbox"/> Jason Thompson

PASSED AND ADOPTED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT ON THIS 21st DAY OF October, 2019.



Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

Approved as to Form:



Jesse Shamp, Village Solicitor
Frost Brown Todd, LLC