

Ordinance No. 22-5

AN ORDINANCE TO PERMIT AND REGULATE THE OPERATION OF CERTAIN GOLF CARTS, UTILITY VEHICLES, UNDER SPEED VEHICLES AND ALL-PURPOSE VEHICLES IN THE VILLAGE OF NEW LEXINGTON, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, The Village of New Lexington Council recognizes the growing popularity and trend of using golf carts, utility vehicles, under speed vehicles and all-purpose vehicles adapted for street use as an acceptable mode of transportation in the Village of New Lexington; and

WHEREAS, The Village of New Lexington Council, recognizes and accepts that existing Ohio Revised Code and Ohio Administrative Code- addresses various aspects of golf carts and other vehicle inspection, titling, registration, and use, and

WHEREAS, The Village of New Lexington Council desires to permit and regulate the operation of golf carts, utility vehicles, under speed vehicles and all-purpose vehicles in the Village of New Lexington; and

WHEREAS the Village of New Lexington Council desires to establish rules regulating the operation, insurance, inspection, and registration of golfcart, utility, under speed vehicles, and all-purpose 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 NEW LEXINGTON, OHIO:

The operation of golf carts, utility vehicles, under speed vehicles and all purpose vehicles shall be permitted to travel the streets of the Village Of New Lexington subject to the following.

SECTION ONE.

(A) DEFINITIONS

(1) "Golf cart" is defined as a vehicle powered by gas or electricity and is the type of vehicle typically operated on golf course and includes under speed vehicles with an attainable speed of not more than twenty miles per hour and with 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 designed 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) "All Purpose Vehicle" (APV) means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all terrain vehicles, all-season vehicles, mini-bikes, and trail bikes.

(5) "Operator": means any person who operates or is in actual physical control of a golf cart, utility vehicle, or other low speed vehicle.

(6) "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 and public property within the Village of New Lexington, Ohio, shall have a minimum of the following functional equipment there on:

(a) At least one working rear red colored tail light

(b) A light to illuminate the rear license plate and make the plate legible from a distance of 50 feet

(c) At least one working brake light

(d) Two headlights, white or clear in color

(e) A horn

(f) A rearview mirror

(g) A windshield

(h) Windshield wiper

(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

(m) One seat belt per occupant of the vehicle

(2) All-Purpose Vehicles operated on the Streets and public property within the Village of New Lexington, Ohio, Shall have a minimum of the following functional equipment there on:

- (a) At least one working rear red colored tail light
- (b) A light to illuminate the rear license plate and make the plate legible from distance of 50 feet
- (c) At least one. Working brake light (d) One headlight, white or clear in color
- (C) Brakes sufficient to stop within 40 feet
- (f) An emergency brake sufficient to hold the vehicle on any grade
- (g) Working exhaust system if the unit has an internal combustion engine

(3) Whoever violates this section shall be guilty of a minor misdemeanor and fined not more than \$150.

(C) LICENSING REQUIREMENTS OF OPERATOR

(1) The operator of a golf cart, utility vehicle, APV or other low speed vehicle on public roadways or on public property in the Village Of New Lexington Shall have a valid driver's license.

(2) The operator of a golf cart, utility vehicle, APV or other low speed vehicle on public roadways or on public property in the Village of New Lexington 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 \$150.

(D) INSURANCE REQUIREMENTS OF OWNER AND OPERATOR

(1) The owner of golf cart, utility vehicle, APV, or other low speed vehicle that is driven on public roadways or in the Village of New Lexington 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, APV 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 vehicle.

(3) Whoever Violates this section shall be guilty of a minor misdemeanor and subject to a fine of not more than \$150.

(E) INSPECTION AND TITLE REQUIREMENTS.

(1) No person shall operate a golf cart, utility vehicle, APV or other low speed vehicle on public roadways or on public property in the Village of New Lexington without first obtaining an inspection by the Village Chief of Police 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 New Lexington without a Certificate of Inspection in their possession.


DATE PASSED: 6-7-22



Council President

APPROVED: 

Mayor

ATTEST: 

Council Clerk
Acting Clerk