

ORDINANCE 2020-07

VILLAGE OF NEW RICHMOND, OHIO

Council for the Village of New Richmond, Ohio met in regular session this 8 day of September, 2020 with the following members present:

Mary Allen, yes
Becky Ploucha, yes

Larry Prues, yes
Gary Skeene, yes

Melanie Slade, yes
Richard Feldkamp, yes

Councilperson Allen moved for adoption of the following:

AN ORDINANCE AMENDING ORDINANCE 2012-14: "REGULATING GOLF CART USE WITHIN THE VILLAGE OF NEW RICHMOND, OHIO"

WHEREAS, the use of golf carts on the streets of the Village has become more prevalent and members of the community have expressed a desire to operate golf carts on village streets, and

WHEREAS, the use of golf carts on village streets creates an issue of health, safety and public concern, and

WHEREAS, in order to improve the health, safety, and general welfare of the Village and its residents, the Council of the Village of New Richmond, Ohio, desires to regulate the use of golf carts within the Village of New Richmond, Ohio.

NOW, THEREFORE, BE IT ORDAINED, with a majority of the Council of the Village of New Richmond, Ohio concurring:

Section 1: Definition: For purposes of this Ordinance, a "golf cart" shall be defined as a motor vehicle as the term is defined under O.R.C. 4501 (B). This section may also apply to other under-speed vehicles at the discretion of the Chief of Police based on the definitions set forth in the Ohio Revised Code, as amended from time to time.

Section 2: Restrictions: No person shall operate a golf cart on the streets within the Village of New Richmond unless the golf cart has first agreed to abide by the Village's Golf Cart Policy attached hereto as Exhibit "A" (as may be changed from time to time) and passed a safety inspection by the Chief of Police or designee for compliance with the State of Ohio's requirements that are applicable to motor vehicles and such golf cart contains all equipment as required by this Ordinance.

To operate at night or before sunrise, golf carts must be equipped with headlights, brake lights, turn signals and reflective warning devices on the front and rear sides of the vehicle. Headlights should be used 30 minutes before sunset and 30 minutes after sunrise; headlights should always be used during inclement weather.

Section 3: Equipment: A list of equipment required for safe operation of a motor vehicle in traffic as set forth by Ohio Revised Code Chapter 4513 shall be kept at the Police Department in regard to this Ordinance, and shall include:

- Two working headlights.
- At least one working taillight and one working brake light.
- Directional signals.
- A rearview mirror.
- A white light illuminating the rear license plate legible from a distance of 50 feet.
- A working horn.
- A valid license plate on the rear of the vehicle; bracketed to the cart.
- One seat belt per occupant.

Section 4: Licensing Requirement of Operator.

- No person who is less than 16 years of age shall operate a golf cart on the streets of the Village.
- The operator of a golf cart on permitted streets within the Village must hold a current motor vehicle driver's license.
- Effective January 1, 2021, No person who is the owner or operator of a golf cart shall fail to display, in plain view on the front windshield of the golf cart, a distinctive numbered permit issued by the Village; this permit will be renewed annually and inspected by the New Richmond Chief of Police or designee. Annual safety inspection fee and permit fee will be posted at the Clerk of Court's office.
- Permits are valid from January 1 – December 31, of the year in which the permit is issued, but golf carts shall only be operated on Village streets between April 1 - October 31 of each year.

Section 5: Village Inspection:

- No person shall operate a golf cart on the streets within the Village unless the golf cart has been inspected for compliance with the State of Ohio statutory requirements that are applicable to motor vehicle operations including entitling the owner or operator to secure a title and license for the golf cart.
- The owner of the golf cart shall provide current proof of insurance at the time of the annual inspection.

Section 6: Usage and restriction: Waiver

- **Golf carts that have been properly inspected and permitted shall only be operated on Village streets between April 1 - October 31 of each year.**
- The village strongly recommends that golf cart drivers DO NOT cross the intersections located along US 52 due to the inherent dangers of these busy intersections, but will allow golf carts that have been properly inspected and permitted to cross at intersections located along US 52 during the hours of **8:00am to 7:00pm.**

- Per the Ohio Revised Codes, this golf cart permit is only valid within the Village of New Richmond Corporation limits. No other authority is permitted.
- Occupants of golf carts shall be seated at all times in the seat of the golf cart buckled by seat belt when the golf cart is on and in motion. Standing on any portion of the golf cart while in motion is prohibited.
- Any child who falls under the child restraint criteria set by Ohio R.C. 4511.81 is prohibited from being a passenger in a golf cart operated on any Village street, right of way, or public area in the Village of New Richmond.
- No person shall operate golf cars on sidewalks or walking trails.
- Golf carts must be operated in accordance with all State of Ohio traffic laws in addition to all applicable sections of the Village of New Richmond resolutions/ordinances.
- The provision of this section may be waived during limited period of special events for which the operators of the golf carts have received prior approval for the use of golf carts from the Village Chief of Police or designee.

Section 7: Penalty

Whoever violates the provision of this ordinance is guilty of a minor misdemeanor on a first offense. On a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree.

Section 8: That Council finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Ordinance were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

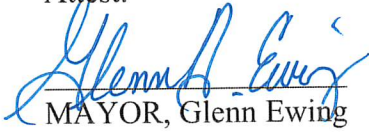
Councilperson Prues seconded the motion to adopt the foregoing Ordinance and upon roll call the vote was as follows:

Gary Skeene	<u>yes</u>
Melanie Slade	<u>yes</u>
Larry Prues	<u>yes</u>
Mary Allen	<u>yes</u>
Becky Ploucha	<u>yes</u>
Richard Feldkamp	<u>NO</u>

First Reading:	<u>06-23-2020</u>
Second Reading:	<u>08-25-2020</u>
Third Reading:	<u>09-08-2020</u>

ADOPTED: 09-08-2020
Date

Attest:


MAYOR, Glenn Ewing


CLERK OF COUNCIL, Theresa Leigh

Approved as to form:



SOLICITOR, Scott Sollmann

Village of New Richmond Golf Cart Policy

Golf carts must follow the same traffic rules as cars, including regulatory signs and the use of directional or hand signals when making turns. The operator of these vehicles can be issued a traffic citation just like you would when operating an automobile; these citations carry fines and points on your license.

Vehicle Definitions/Requirements

A golf cart (USV) is defined as a motor vehicle that is designed for operation on a golf course or for sporting or recreation and is not capable to exceeding 20mph. The operator of the golf cart must have a valid driver's license; cart must have a registered license plate and be insured.

The authorization to operate these vehicle's on public roads is at the discretion of the local authority of the jurisdiction where the vehicle will be operated (see ORC 4511.215). Each vehicle must successfully pass the required vehicle inspection performed by local law enforcement prior to obtaining certificate of title and registration.

The golf cart must be equipped with the following safety equipment: seatbelts; operational rear tail lights; illuminated rear license plate legible from 50 feet; operational brake lights; operational head lights; operational horn; functional rear-view mirror; must have directional signals; windshield; must have two license plates – pending title & plate registration.

Rules of the Road

Golf carts that have been properly inspected and permitted shall only be operated on Village streets between April 1 - October 31 of each year. Golf carts are strongly encourage NOT to cross over or drive on highway US 52 or any other road with a posted speed limit sign of 35mph or higher. However, golf carts being driven by persons with current motor vehicle driver's licenses which have been properly inspected and permitted will be allowed to cross at intersections located along US 52 during the hours of **8:00am to 7:00pm.**

Night Time/Low Light Driving

To operate at night or before sunrise, golf cart must be equipped with headlight; brake lights; turn signals and reflective warning devices on the front and rear sides of vehicle. Headlights should be used 30 minutes before sunset and 30 minutes after sunrise; headlights should always be used during inclement weather.

Safety Rules

To operate a golf cart on the streets/roads in the Village of New Richmond, New Richmond, Ohio must adhere to the following safety rules.

1. Cart operators shall abide by Village of New Richmond alcohol ordinance and never operate a cart under the influence of drugs or alcohol on private property or in village limits.
2. Carts shall be operated with the utmost courtesy, care and consideration for the safety and convenience of other vehicles and pedestrians. In congested pedestrian areas, operators must either park or reduce speed to a pace consistent with pedestrians. Pedestrians shall always be afforded the right-of-way. This includes person walking, jogging, bicycling and those in wheelchairs or mobility assistance devices.
3. All occupants in the cart shall keep hands, arms, legs and feet within the confines of the cart while in motion; do not allow anyone to ride standing in the vehicle or on the back platform of the vehicle.
4. The maximum speed shall not exceed 15 mph.
5. While driving carts through parking lots, special care should be taken to observe traffic and vehicles pulling in/out of parking spaces.
6. Cart operators should not wear headphones, use cell phones or use/operate any other device while driving that may cause a distraction, including text messaging.
7. Items being transported must be placed in the rear box and/or properly secured. Neither cargo, nor passengers shall be placed on the roof of the cart.

Accident Reporting

All accidents involving carts should be immediately reported to NRPD at (513) 553-3121.

HOLD HARMLESS CLAUSE

I, _____, understand that by signing this document to receive the Village Permit, I agree to abide by this Policy and Village Ordinance 2020-07 as well as hereby release, indemnify and hold harmless the Village of New Richmond, its council members, employees, successors, assigns, legal representatives, insurers, and elected or appointed officials, from any and all claims, causes of actions, and liability arising from or in any way connected to the inspections, activities, maintenance, and/or permitting process related to the operation of the golf cart which is the subject of this agreement.

Owner of Golf Cart:

Print Name: _____

Signature: _____ Date: _____

Attachment: Village of New Richmond, Ohio Ordinance 2020-07