

ORDINANCE 2021-09
VILLAGE OF NEW RICHMOND, OHIO

Council for the Village of New Richmond, Ohio met in regular session this 8 day of June, 2021 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 ESTABLISHING NEW RULES AND REGULATIONS FOR
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, since the passing of Ordinance #2020-07, residents and Village representative have had on-going discussions on potential changes to the Village's rules and regulations with respect to the use of golf carts in the Village of New Richmond; 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 update and makes changes to the rules and regulations with respect to the use of golf carts in the Village of New Richmond set forth in Ordinance #2020-07 which will be serve the Village as a whole.

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

The following rules and regulations regarding the use of golf carts in the Village of New Richmond, OH, in addition to the "Golf Cart Policy" attached hereto as Exhibit "A" completely replace and/or supersede any previous rules and regulations including, but not limited to, those set forth in Village Ordinance #2020-07.

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 passed an 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 regards to this Ordinance, and shall include:

- Operational head lights
- Operational brake lights
- Operational rear tail lights
- Functional rearview mirror
- A white light illuminating the rear license plate legible from a distance of 50 feet
- Operational horn
- Functional Rear-View Mirror
- Directional signals
- Operational seat belts; one seat belt per occupant
- Must have rear license plate – Pending title and issuance of plates
- Windshield

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 a distinctive numbered permit issued by the Village. The permit shall be posted on the lower left (driver's side of windshield)
- The one-time inspection fee and permit fee will be posted at the Clerk of Court's Office.
- The permit is valid until change of vehicle ownership.

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 inspection sticker will be placed on the lower left – driver's side of windshield.

Section 6: Usage and restriction: Waiver

- 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 period of dawn to dusk.
- 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.

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.

That the Village by a $\frac{3}{4}$ majority vote hereby dispenses with the requirement that the Ordinance be read on three separate days and hereby authorizes the adoption of the Ordinance upon its first reading. That this Ordinance shall take effect and be in force from the earliest date allowed by law.

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

Gary Skeene	<u>Yes</u>
Jonathan Millhouse	<u>Yes</u>
Melanie Slade	<u>Yes</u>
Larry Prues	<u>Yes</u>
Mary Allen	<u>Yes</u>
Becky Ploucha	<u>Yes</u>

First Reading:

6/8/2021

Second Reading:

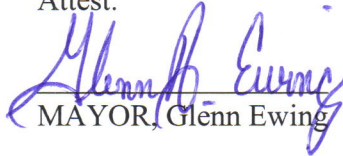
Third Reading:

ADOPTED:

6/8/2021


Date

Attest:


MAYOR, Glenn Ewing


CLERK OF COUNCIL, Kathy Fuchs

Approved as to form:



SOLICITOR, Scott Sollmann

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: operational head lights, operational rear tail lights, operational brake lights, functional rearview mirror, operational horn, operational directional signals, operational seat belts (one for each passenger), 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 cart operators are strongly encouraged NOT to cross over or drive on highway US52 or any other road with a posted speed limit sign of 35 mph 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 period of dawn to dusk.

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 (ORC Section 4511.19, Section 4301.64, and Section 4511.194).
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. Cart Operators must abide with all speed limits.
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 (ORC Section 4511.204).
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

Received Policy: _____ Date: _____

05 20 2021 draft NEW RICHMOND POLICE DEPARTMENT
 102 Willow Street, New Richmond, Ohio 45157
 513-553-3121

GOLF CART/ATV – UNDERSPEED VEHICLE INSPECTION SHEET

Applicant Name:	Phone #:	Inspection Date:
Address:	State- OH	Zip Code:
Golf Cart/ATV Name:	Model:	VIN/Serial #:

Circle Yes / No		Ohio Revised Code
Yes / No	Valid Operators License when operated on or across public streets, roadways and/or other public property	ORC 4507.02 (A) (1)
Yes / No	Must show proof of Insurance on Golf Cart	ORC 4508.101 (A) (1)
Yes / No	Operational Seat Belts	ORC 4513.263
Yes / No	Operational Head Lights	ORC 4513.04
Yes / No	Operational Brake Lights	ORC 4513.071
Yes / No	Operational Rear Tail Lights	ORC 4513.05
Yes / No	Illuminated rear license plate legible from distance of 50 feet	ORC 4513.05
Yes / No	Operational Horn	ORC 4513.21
Yes / No	Functional Rear-View Mirror	ORC 4513.23
Yes / No	Must have directional Signals	ORC 4513.261
Yes / No	Must have two license plates – Pending Title & Issuance of Plates	ORC 4503.21
Yes / No	Windshield	ORC 4513.24
Comments:		

Name of Inspecting Officer (PRINT)	Name of Applicant (PRINT)
Inspecting Officers' Signature:	Applicant Signature:

Department Use Only

License Tag:	Permit Issued:	Permit Expires:
Reference #:	Permit #:	Issued By:

\$20.00 Inspection fee due at time of inspection.

Revised May 2021

