

AN ORDINANCE ENACTING TO PERMIT  
AND REGULATE THE OPERATION OF CERTAIN  
GOLF CARTS AND OTHER UNDER SPEED VEHICLES  
IN THE VILLAGE OF SOUTH POINT, OHIO

**WHEREAS**, The Village of South Point Council recognizes the growing popularity and trend of using golf carts adapted for street use as an acceptable mode of transportation in the Village of South Point; and

**WHEREAS**, The Village of South Point Council recognizes and accepts that existing Ohio Revised Code and Ohio Administrative Code addresses various aspects of golf cart inspection, titling, registration, and use; and

**WHEREAS**, The Village of South Point Council desires to permit and regulate the operation of golf carts, utility, and under speed vehicles in the Village of South Point; and

**WHEREAS**, the Village of South Point Council desires to establish rules regulating the operation, insurance, inspection, and registration of golf carts and LOW speed 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 SOUTH POINT, OHIO:**

SECTION 1: DEFINITIONS

- (A) "Golf cart" is defined as a vehicle powered by gas or electricity and is the type of vehicle typically operated on a golf course and includes under speed vehicles, with an attainable speed in one mile on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds.
- (B) "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.
- (C) "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.
- (D) "Operator" means any person who operates or is in actual physical control of a golf cart, utility vehicle, or other low speed vehicle.
- (E) "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.

SECTION 2: EQUIPMENT

- (1) Golf carts or other low speed vehicles operated on the streets, highways, and public property within the Village of South Point, Ohio, shall have a minimum of the following functional equipment there on:
  - (a) At least one working rear red colored tail light ORC 4509.071
  - (b) License plates in the front and rear of the golf cart, bracketed to the cart ORC 4503.21
  - (c) A light to illuminate the rear license plate and make the plate legible from a distance of 50 feet ORC 4513.05
  - (d) At least one working brake light ORC 4513.071
  - (e) Two headlights, white or clear in color ORC 4513.04
  - (f) A horn ORC 4513.21
  - (g) A rearview mirror ORC 4513.23

- (h) A windshield ORC 4513.24 (GLASS OR SAFETY GLASS)
  - (i) Windshield wiper ORC 4513.24
  - (j) Turn signals ORC 4513.261
  - (k) Brakes sufficient to stop within 40 feet ORC 4513.20
  - (l) An emergency brake sufficient to hold the vehicle on any grade ORC 4513.20
  - (m) Working exhaust system if the unit has an internal combustion engine ORC 4513.22
  - (n) One seat belt per occupant of the cart
  - (o) A child safety seat installed to manufacturer specifications for any occupant under the age of four or under 40 pounds in weight
  - (p) A child booster safety seat installed to manufacturer specifications for any occupant between the ages of four and eight or under 4'9" in height
- (2) Whoever violates this section shall be guilty of a minor misdemeanor and subject to a fine not more than \$150.

SECTION 3: LICENSING REQUIREMENTS OF OPERATOR

- (1) The operator of a golf cart or other low speed vehicle on public roadways or on public property in the Village of South Point shall have a valid driver's license.
- (2) The operator of a golf cart or other low speed vehicle on public roadways or on public property in the Village of South Point 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.

SECTION 4: INSURANCE REQUIREMENTS OF OWNER AND OPERATOR

- (1) The owner of a golf cart or other low speed vehicle that is driven on public roadways or on public property in the Village of South Point shall carry liability insurance thereon as required by the Ohio Revised Code 4509.101 (A)(1).
- (2) The operator of a golf cart 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 golf cart.
- (3) Whoever violates this section shall be guilty of a minor misdemeanor, and subject to a fine of not more than \$150.

SECTION 5: INSPECTION AND TITLE REQUIREMENTS

- (1) No person shall operate a golf cart or other low speed vehicle on public roadways or on public property in the Village of South Point without first obtaining an inspection by the Chief of Police or the authorized law enforcement official of another jurisdiction within the State of Ohio as approved by the Chief of Police for the Village of South Point to ensure compliance with State laws and this ordinance.
- (2) No person shall operate a golf cart or other low speed vehicle on the public roadways or on public property in the Village of South Point without a Certificate of Inspection in his possession.
- (3) No person shall operate a golf cart, utility vehicle, or other low speed vehicle on public roadways or on public property without first obtaining a Certificate of Title from the Clerk of Courts.

(4) No person shall fail to display a registration/inspection sticker issued by the Village of South Point on a golf cart or other under speed vehicle.

(5) No person shall improperly display a registration/inspection sticker issued by the Village of South point on a golf cart or other under speed vehicle. Sticker shall be affixed in the lower left side of the front windshield. Inspection stickers shall be renewed yearly.

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

SECTION 6: PROHIBITED ACTS

(1) No person shall operate a golf cart or other low speed vehicle on public roadways or on public property in the Village of South Point without first ensuring all occupants are securely seated in a fixed seat and wearing all available elements of a properly adjusted safety belt that is fixed to the vehicle.

(2) No person, being an operator of a golf cart or other low speed vehicle operated on public roadways or on public property in the Village of South Point, shall fail to wear all available elements of a properly adjusted safety belt that is fixed to the vehicle.

(3) No person, being a passenger of a golf cart or other low speed vehicle operated on public roadways or on public property in the Village of South Point, shall fail to wear all available elements of a properly adjusted safety belt that is fixed to the vehicle.

(4) No person shall operate a golf cart or other low speed vehicle on restricted areas of the public bicycle path, except municipal employees operating municipal vehicles in accordance with their duties.

(5) No person shall operate a golf cart or other low speed vehicle that has an attainable top speed in excess of 25 mph on a public roadway or on public property.

(6) No person shall operate a golf cart on any restricted street, streets where the speed limit is greater than 25 mph in the village of South Point except those designated as golf cart crossings. SEE ATTACHED MAP

(7) Whoever violates this section shall be guilty of a minor misdemeanor and subject to the following fines accordingly:

(a) A violation of sections 6-1, 6-4, 6-5 and 6-6 of this ordinance shall be guilty of a minor misdemeanor and subject to a fine of more than \$150

(b) A violation of section 6-2 of this ordinance shall be guilty of a minor misdemeanor and subject to a fine of not more than \$50.

(c) A violation of section 6-3 of this ordinance shall be guilty of a minor misdemeanor and subject to a fine of not more than \$30.

SECTION 7: ACCIDENT REPORTS

(1) The owner or operator of a golf cart or other low speed vehicle involved in any accident resulting in injury or death to any person shall immediately report the accident to the police department.

(2) The owner or operator of a golf cart or other low speed vehicle involved in any accident resulting in damage to the property of any person in excess of \$100 shall report the accident within 24 hours to the police department.

(3) Whoever violates this section shall be guilty of a first degree misdemeanor and subject to a fine of not more than \$1,000 and imprisonment of not more than 6 months.

SECTION 8: INSPECTION PROCESS

- (1) The South Point Police Department will inspect golf carts for South Point residents upon appointment. Appointments must be made in advance. All requests for inspection will be forwarded to the Chief of Police or Officer responsible.
- (2) Appointments will be scheduled according to the responsible Officers schedule, avoiding overtime, if at all possible.
- (3) Inspections will be conducted at the South Point Police Department located at 406 2nd Street West, South Point, Ohio 45680.
  - (a) Spray paint will be used to define distances needed for the inspection.
  - (b) Measurement marks will be made at 40 feet, 50 feet, 500 feet and 1000 feet. The same marks will be used for each inspection.
  - (c) Officers will use a grade near the police department to test brake strength.
  - (d) The inspection fee shall be **\$50.00**. If the golf cart does not pass inspection on the first attempt, the re-inspection fee shall be **\$50.00**.
  - (e) Officers responsible for inspections will issue receipts for the inspection fee. All money collected, along with the duplicate receipt will be turned into the Fiscal Officer as soon as practical to be deposited into the Village Police Dept. Fund.
  - (f) A second officer must assist with the speed check of the golf cart when inspection is conducted. If a golf cart travels faster than 20 mph, the golf cart will be deemed to have failed to inspection.
  - (g) Officers assigned to inspect golf carts will issue inspection stickers to any golf cart that successfully completes an inspection. Golf Carts shall be inspected yearly and will be issued a new registration/ inspection sticker.
  - (h) The sticker number will be noted on the inspection form, a copy of the inspection form will be given to the owner.
  - (i) All records of inspection will be maintained by the Chief of Police or designee.
  - (j) Successful applicants will be referred to the Lawrence County Clerk of Courts-Title Department in Ironton, Ohio.

SECTION 9: ATTACHMENTS

- (a) Map of Golf Cart routes
- (b) Inspection form
- (c) Informational brochure for residents

**WHEREAS;** The operations of Golf Carts and other under speed vehicles in the Village of South Point may be detrimental to the public health, welfare and safety of the inhabitants thereof and 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 including Section 121.22 of the Ohio Revised Code.

Adopted This 5<sup>th</sup> Day of May 2015

  
Ron West, Mayor

Attest:   
Scott Thomas, Clerk

	<u>Yea's</u>	<u>Ney's</u>
1 <sup>st</sup> Reading Approved March 3, 2015	6	0
2 <sup>nd</sup> Reading Approved April 7, 2015	6	0
3 <sup>rd</sup> Reading Approved May 5, 2015	6	0