

AN ORDINANCE REGULATING GOLF CART USE WITHIN THE VILLAGE OF GENEVA ON THE LAKE, OHIO and NOT DECLARING AN EMERGENCY

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 safety and public concern; and

WHEREAS, the Council of the Village of Geneva on the Lake, Ohio desires to regulate the use of golf carts within the village

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Geneva on the Lake, Ohio:

SECTION 1. For the purposes of this ordinance a golf cart is defined as a motor vehicle as that term is defined under Ohio Revised Code Section 4501.01(B) which is powered by gas or electricity and which cannot exceed 25 mph, is not originally designed or constructed for operation on a street or highway, and which is the type of vehicle typically operated on a golf course.

SECTION 2. Any driver of a golf cart on or across public streets, roadways, and/or other public property shall have a valid operator's license.

SECTION 3. If the golf cart is operated on or across the public streets, roadways and/or public property, the owner of the golf cart must carry liability insurance comparable to that required for motor vehicles.

SECTION 4. When driving a golf cart on or across public streets, roadways and/or other public property, the operator of the golf cart must carry proof of insurance while operating the golf cart.

SECTION 5. If the golf cart is to be driven on or across public streets, roadways and/or public property, the golf cart must have the following equipment:

- A. Operational red rear tail lights
- B. Operational brake lights
- C. Two operational white headlights
- D. A functional rear view and side view mirror
- E. Operational direction signals
- F. Operational horn
- G. Two license plates, one placed upon the front of the vehicle, and one placed upon the back of the vehicle, which must be displayed so that the license plate can be read as intended
- H. The rear license plate must be illuminated so as to make the license plate visible and legible from a distance of at least fifty (50) feet
- I. Operational seat belts for each occupant
- J. A windshield made of glass or safety glass
- K. Any other requirements found in Revised Code Chapter 4513 and 4515, and the administrative rules promulgated thereunder

SECTION 6. Any golf cart being driven on or across public streets, roadways and/or public property pursuant to the Ordinance shall observe all applicable rules to not be capable of being operated in excess of 25 (twenty-five) miles per hour.

SECTION 7. Prior to operating a golf cart on or across the public streets, roadways and/or other public property, the owner of the golf cart must present the golf cart to the Geneva on the Lake Police Department for

inspection. The Chief of Police, or an officer designated by the Chief shall inspect the golf cart to ensure its compliance with the Ordinance. There shall be a charge of \$100.00 per inspection. For the purpose of the inspection the Geneva on the Lake Police Department shall utilize the "Golf Cart/Under Speed Vehicle Inspection Sheet," a copy of which is attached to this Ordinance. After inspection, title, and licensing, the owner shall obtain a validation sticker from the Geneva on the Lake Police Department. The validation sticker shall be placed on the rear of the golf cart where it can be easily seen.

SECTION 8. After completing the inspection of the golf cart, the Geneva on the Lake, Police Department shall provide the owner of the golf cart a CERTIFICATE OF INSPECTION if all required equipment is verified to be in place and operational. This certificate along with other title evidence (notarized bill of sale) may be presented to the Clerk of Courts Title Office in order to obtain a Certificate of Title. The Geneva on the Lake Police Department shall keep and maintain a record of all golf carts inspected.

SECTION 9. A golf cart once properly licensed may be operated on or across streets or roadways within the Village of Geneva on the Lake, Ohio.

SECTION 10. No person shall operate a golf cart on a public sidewalk or other walking path.

SECTION 11. Golf carts shall have their headlights illuminated at all times while being operated on public streets.

SECTION 12. Any person convicted or pleading guilty to a violation of this ordinance is guilty of a minor misdemeanor upon a first offense. Each offense is conviction thereafter shall be deemed a misdemeanor of the fourth degree as defined by the Ohio Revised Code.

SECTION 13. That it is hereby 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 of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


SECTION 14. That this ordinance is not an emergency and shall take effect thirty days after passage.

PASSED this 15th day of April, 2013




David Nelson, Mayor

ATTEST:

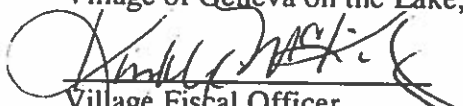


Kimberly McKinley, Fiscal Officer



Kyle B. Smith, Solicitor

I hereby certify that a summary of the foregoing ordinance was posted in five conspicuous locations within the Village of Geneva on the Lake, in accordance with Ord 2005-2 on this 21st day of April, 2013.



Village Fiscal Officer