

**VILLAGE OF COLDWATER
CHARTER ORDINANCE NO. 1696**

AN ORDINANCE AUTHORIZING THE USE OF UNDER-SPEED VEHICLES, UTILITY VEHICLES, AND MINI-TRUCKS ON VILLAGE STREETS WHERE THE SPEED LIMIT IS THIRTY-FIVE MILES PER HOUR OR LESS, PROVIDING AN INSPECTION PROGRAM THEREFOR, REPEALING INCONSISTENT LEGISLATION, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Village intends to permit the use of under-speed vehicles, aka golf carts, and utility vehicles (e.g., Rangers, Razors, Gators, etc.) on Village streets; and

WHEREAS, Substitute Senate Bill 114, which was passed by the 129th General Assembly and signed into law by Governor Kasich in 2013, imposes certain requirements on municipalities that authorize the use of such vehicles on municipal streets; and

WHEREAS, Substitute Senate Bill 114 was codified in Title 45 of the Ohio Revised Code, and the relevant provisions thereof became effective on January 1, 2017; and

WHEREAS, the Village must revise its local laws and inspection program for golf carts and under-speed and utility vehicles, as required by Substitute Senate Bill 114, to continue to allow such vehicles on Village streets; and

WHEREAS, the Village desires also to allow mini-trucks (as defined below) on Village streets, as authorized by Substitute Senate Bill 114.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Coldwater, County of Mercer, State of Ohio, at least three-fourths of all members elected thereto concurring that:

SECTION ONE

Subject to the requirements set forth herein, the use of "under-speed vehicles," "utility vehicles," and "mini-trucks" (collectively referred to herein as "Multi-Use Vehicles") shall be permitted on Village streets where the speed limit is thirty-five miles per hour or less.

"Under-speed vehicle" means a three- or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed 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.

"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, ground maintenance, lawn and garden, materials handling, or similar activities. Examples of utility vehicles include Rangers, Razors, and Gators.

"Mini-Truck" means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.

SECTION TWO

- A. Prior to the operation of a Multi-Use Vehicle on Village streets, the Multi-Use Vehicle must pass an inspection conducted by the Coldwater Police Department ("CPD"). A copy of the inspection form is attached hereto as Exhibit "A."
1. The inspection fee for a newly-purchased Multi-Use Vehicle is \$50.00.
 2. The inspection fee for a Multi-Use Vehicle that has been inspected by another local law enforcement agency in the State of Ohio is \$20.00.
- B. At the time of the inspection, the owner/operator of the Multi-Use Vehicle must present the following to CPD: (1) a valid driver's license; (2) proof of insurance; and (3) payment for the inspection fee (if applicable).
1. If your Multi-Use Vehicle is an *under-speed vehicle*, the owner/operator also must provide to CPD the *gross vehicle weight*.
 2. If your Multi-Use Vehicle is a *mini-truck*, the owner/operator also must provide to CPD the *unloaded weight*.
- C. If a Multi-Use Vehicle passes inspection, the owner/operator will be issued an inspection sticker. The sticker must be placed on the lower left side of the vehicle's windshield (driver's side). The sticker must remain visible at all times while operating the vehicle on Village streets. If an inspection sticker is lost, damaged, or destroyed, a replacement sticker must be obtained from CPD at a cost of \$5.00.

SECTION THREE

Prior to the operation of a Multi-Use Vehicle on Village streets, the vehicle must be registered in accordance with Ohio Revised Code Chapter 4503, and titled in accordance with Ohio Revised Code Chapter 4505. Out-of-state Multi-Use Vehicles are not permitted on Village streets.

SECTION FOUR

All Multi-Use Vehicles must be operated in accordance with all applicable state and local traffic laws. No person shall operate a golf cart on any State Highway, in particular Second Street and Main Street, except to cross at an intersection or to access the closest local street or alleyway. In addition Multi-Use Vehicles are prohibited in Public Parks and Public Works grounds unless Authorized by the Council or Village Manager or are parked in recognized parking lots.

SECTION FIVE

A. All Multi-Use Vehicles, at a minimum, must have the following *properly functioning* equipment:

1. Brake lights (2), tail lights (2), head lights (2), and turn signals (2 front; 2 rear),
2. A horn;
3. A rearview mirror;
4. A windshield;
5. Brakes and a brake system;
6. A steering mechanism;
7. One (1) seat belt per occupant of the vehicle; and each occupant of the vehicle shall be restrained by the seat belt during operation of the vehicle.
8. Appropriate tires that are free of major bumps, bulges, breaks, or any other unsafe condition.

SECTION SIX

A violation of this ordinance shall be a minor misdemeanor punishable by a fine of not less than one-hundred dollars (\$100.00). Each day of non-compliance shall constitute a separate violation.

SECTION SEVEN

All Village legislation inconsistent herewith be and the same is hereby repealed.

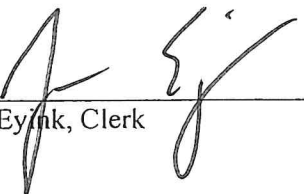
SECTION EIGHT

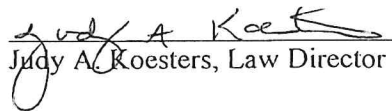
This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Adopted this 24TH day of AUGUST, 2020


Douglas S. Bertke

Attest:


Jason Eyink, Clerk


Judy A. Koesters, Law Director