



ORDINANCE 2022-17

AN ORDINANCE AUTHORIZING THE LAWFUL OPERATION OF UNDER-SPEED VEHICLES ON THE PUBLIC ROADWAYS OF THE CITY OF POWELL.

WHEREAS, the City of Powell, through its Codified Ordinances, establishes acceptable traffic and safety standard to ensure vehicular and pedestrian safety; and

WHEREAS, Ohio Revised Code 4511.215 authorizes the City to permit and regulate the use of low-speed and under-speed vehicles ("USVs"), which includes private golf carts, upon public streets, and further permits local governments to establish additional standards; and

WHEREAS, the City encourages alternative modes of transportation for a variety of reasons, including the reduction of pollution and wear and tear on streets; and

WHEREAS, the increased use of USVs within the City necessitates the adoption of standards for their safe and lawful use on public roadways in the City, and for the safety of others using the City's streets, roads, or highways.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:

Section 1: The City hereby amends its Codified Ordinances to enact the following Chapter:

Chapter 377 – Under-Speed Vehicles

377.01 – Operation of Under-Speed Vehicles

(a) No person shall operate an under-speed vehicle upon any street or highway except upon a street or highway having an established speed limit not greater than thirty-five (35) miles per hour without a valid license. An "under-speed vehicle" is defined as a three- or four-wheel motor vehicle, including a golf cart or modified golf cart that can reach a maximum speed of less than twenty (20) miles per hour and has a gross vehicle weight of less than 3,000 pounds.

(b) This section does not prohibit a person operating an under-speed vehicle from proceeding across an intersection of a street or highway having a speed limit greater than thirty-five (35) miles per hour.

(c) As a prerequisite to obtaining a state-issued license, the owner of an under-speed vehicle who wishes to operate on a public street or highway must first submit the vehicle to an inspection that complies with the requirements established by the Ohio Department of Public Safety under Ohio R.C. 4513.02 by the City, but shall in any case include confirmation of the existence of the following equipment in working order: adequate brakes and braking system; working brake lights;

warning/turn signals; headlights and tail lights; properly working steering mechanism; windshield; rear view mirror; and appropriate tires for street use.

The inspection fee shall be determined administratively. A certificate of inspection may be revoked if it is discovered that the applicant stated an untruth in the application or the golf cart or USV has ceased to comply with the relevant provisions of the Traffic Code, including this Chapter 377.

(d) Under-speed vehicles operated on public streets or highways must successfully pass the required vehicle inspection as defined in subsection (c), be registered in accordance with Ohio R.C. Ch. 4503, and be titled in accordance with Ohio R.C. Ch. 4505.

(e) Except as otherwise provided, all sections of the traffic code or substantially similar offenses shall apply to under-speed vehicles operated upon any street, highway, or private property use for vehicular travel.

377.99 – Penalty

Unless otherwise provided in this Chapter, whoever violates this Chapter 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; for each subsequent offense beyond two offenses within one year, the person is guilty of a misdemeanor of the third degree.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.



Daniel Swartwout
Mayor

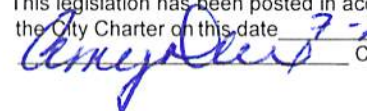
7-28-22
Date



Amy Deere
City Clerk

7-28-22
Date

EFFECTIVE DATE: July 19, 2022

This legislation has been posted in accordance with the City Charter on this date 7-28-22


City Clerk