

ORDINANCE NO.: 2025 - 01

FIRST READING November 25, 2024

SECOND READING December 9, 2024

INTRODUCED BY: JERRY CANTON

THIRD READING January 13, 2025

**ORDINANCE ENACTING NEW CHAPTER 478 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH RUSSELL REGULATING THE OPERATION OF GOLF CARTS WITHIN THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council desires to enact rules and regulations for the operating of golf carts in the Village of South Russell;

**WHEREAS**, to promote the safety, health, and sanitation of the Village, Village residents and others, Council desires to regulate the operation of golf carts in the Village of South Russell by enacting new chapter 478 of the Codified Ordinances.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of South Russell, Geauga County, Ohio:

**SECTION 1.** New Chapter 478 of the Codified Ordinances of the Village of South Russell is hereby enacted as follows:

**“CHAPTER 478 GOLF CARTS**

**“478.01 Definitions** (as used in this chapter)

- (a) “Golf cart” is a motor vehicle as that term is defined under Ohio R.C. 4501.01(B).
- (b) “Motor vehicle” has the same meaning as set forth in Ohio R.C. 4501.01(B).
- (c) “Operator” has the same meaning as set forth in Ohio R.C. 4501.01(X).
- (d) “Vehicle” has the same meaning as set forth in Ohio R.C. 4501.01(A).

**“478.02 Inspection of Golf Carts**

- (a) No person shall operate a golf cart on the streets within the Village unless it has been inspected and approved by the Chief of Police, or his/her designee or by another agent designated and approved by the State of Ohio, for compliance with the applicable safety/equipment requirements of the State of Ohio relative to motor vehicles. For the purposes of this chapter, “golf cart” means a motor vehicle that has not less than three wheels in contact with the ground, that has an unladen weight of less than 1,800 pounds, that is powered by gas or electricity, is the type of vehicle typically operated on a golf course, designed to be and is operated at not more than 25 miles per hour and that is designed to carry not more than six persons including the driver.

(b) If the Chief of Police, or his/her designee, or another agent designated and approved by the State of Ohio, determines that the golf cart complies with the State of Ohio's statutory requirements that are applicable to motor vehicles, the Chief of Police shall issue the owner or operator a certificate of compliance entitling the owner or operator to operate the golf cart on certain streets within the Village. The owner or operator shall also show the Chief of Police or designee proof of liability insurance for the golf cart before a certificate of compliance is issued. Any certificate issued pursuant to this Section by the Chief of Police expires after five years and the Chief of Police will designate the issuing date and expiration date on each certificate. The Chief of Police shall keep a copy of each certificate issued pursuant to this section and maintain such copy in accordance with the Village's record retention schedule. The Chief of Police shall issue a sticker or other similar device to the owner of each golf cart once it is inspected. The sticker shall signify compliance with this section and the expiration of the current inspection period. The owner of each golf cart shall display the sticker in a conspicuous place on the rear of the golf cart.

(c) The owner of a golf cart shall also comply with all requirements of Ohio law regarding proper title, registration and license plates prior to operating a golf cart on certain streets within the Village. Compliance with this section shall be in addition to, rather than in lieu of, any applicable provisions of State law relative to the operation of motor vehicles.

#### **“473.03 Usage and Restrictions**

(a) No golf carts shall be permitted to travel on any Village street where the speed limit is greater than 35 mph.

(b) No golf carts may be operated on Chillicothe Road or Bell Road or any designated bike path within the Village.

(c) The operator of a golf cart must be at least 16 years of age and have a valid driver's license.

(d) 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. That specifically includes children who are up to four years old and less than 40 pounds who are required to be in a child safety seat or any child who is eight years old or less and under four feet, nine inches in height who are required to be in a booster seat.

(e) Golf carts must be operated in accord with all State of Ohio traffic laws in addition to all applicable sections of the Village of South Russell Codified Ordinances.

(f) Village owned low speed and under speed vehicles being used to perform Village maintenance or related work are exempt from this Chapter.

(g) Emergency Vehicles equipped with lights and sirens are exempt from this Chapter.

**“478.99 Penalty.**

Whoever violates this Chapter is guilty of a minor misdemeanor on a first offense; on a second offence within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; and each subsequent offense within one year after the first offense, 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 this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

**SECTION 3.** That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason to immediately implement these regulations; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor.

  
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Mayor - President of Council

ATTEST:

  
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Fiscal Officer

I certify that Ordinance No. 2025 - 01 was duly enacted on the 13<sup>TH</sup> day of JANUARY, 2025, by the Council of the Village of South Russell, and published in accordance with the Ordinances of the Village.

  
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Fiscal Officer