

**ORDINANCE NO. \_\_\_\_\_, 2024**

**AN ORDINANCE TO AMEND TITLE 5 OF THE CITY OF BRYAN'S CODIFIED ORDINANCES TO ADD CHAPTER 343 CONCERNING THE OPERATION OF GOLF CARTS AND UNDER-SPEED VEHICLES ON CITY STREETS**

**WHEREAS**, residents of the City have expressed a desire to operate under-speed vehicles, primarily golf carts, on City streets; and

**WHEREAS**, the City seeks to establish comprehensive laws to allow residents to operate these vehicles in a safe and lawful manner.

**THEREFORE, BE IT ORDAINED**, by the Bryan City Council, four-fifths (4/5) of the members thereto concurring:

**SECTION 1:** That Title 5 of the City's codified ordinances be amended to add Chapter 343 as follows:

Title 5

Chapter 343

**343.01 DEFINITIONS**

- (a) "Under-speed vehicle" shall have the same meaning as set forth in R.C. 4501.01(xx).
- (b) "Operator" shall have the same meaning as set forth in R.C. 4501.01(x).
- (c) "Motor Vehicle" shall have the same meaning as set forth in R.C. 4501.01(B).
- (d) "Utility Vehicle" shall have the same meaning as set forth in R.C. 4501.01(vv).

**343.02 OPERATION**

- (a) Any person operating an under-speed vehicle on the streets or highways within the City shall comply with all laws pertaining to motor vehicles.
- (b) The operator of an under-speed vehicle must have a valid Ohio Driver's License.
- (c) No person shall operate an under-speed vehicle on High Street or Main Street, provided an under-speed vehicle may cross High Street or Main Street at a traffic signal.
- (d) No person, except City employees, or groups authorized by the Mayor, acting in the scope of their duties, shall operate a utility vehicle or under-speed vehicle upon any sidewalk, bike trail, or walking trail within the City. It is prohibited to operate on any grass surface within the City limits.
- (e) Lap belts shall be properly installed and available with respect to each seating position on an under-speed vehicle.
- (f) No person being the operator of a utility vehicle or under-speed vehicle on the streets or highways of the City shall fail to wear all available elements of a properly adjusted lap belt that is affixed to the vehicle.

- (g) No person being a passenger of a utility vehicle or under-speed vehicle on the streets or highways of the City shall fail to wear all available elements of a properly adjusted lap belt that is affixed to the vehicle.
- (h) No person shall operate a utility vehicle or under-speed vehicle on the streets or highways of the City without first ensuring all occupants are securely seated in a fixed seat wearing all available elements of a properly adjusted safety belt that is affixed to the vehicle.
  - (1) No person being the operator of a utility vehicle or under-speed vehicle on the streets or highways of the City shall permit a child who falls under the child restraint criteria set under Ohio R.C. 4511.81 to ride in the vehicle.
- (j) Any person operating an under-speed vehicle on the streets or highways within the City shall have the headlights turned on at all times.
  - (1) No person shall operate an under-speed vehicle that has not passed the inspection required under section 343.03 of this Chapter.
- (k) In addition to the inspection set forth in Chapter 343, all golf carts shall have a valid Ohio license plate as required by State law.

### **343.03 INSPECTION REQUIRED**

- (a) Any person desiring to operate an under-speed vehicle in accordance with this Chapter shall be required to have such vehicle inspected pursuant to this section.
- (b) The owner of an under-speed vehicle shall pay an annual inspection fee of fifty dollars (\$50.00). The owner of an under-speed vehicle failing to pass the inspection shall pay an additional fee of fifty dollars (\$50.00) for each reinspection.

Inspection fees shall be deposited into the City's General Fund.

- (c) Vehicles that have been inspected pursuant to this section shall display a sticker that will be provided by the Bryan Police Department on the rear of the vehicle in a conspicuous location. Stickers shall be valid through February 28th of each year and shall be renewed annually.

Officers may stop any under-speed vehicle operated on a street or highway of the City for the purpose of inspecting the vehicle and/or ensuring the proper inspection sticker is being displayed.

- (d) Under-speed vehicles shall require and be inspected for adequate brakes and braking system, working brake lights, headlights, taillights, turn signals, properly working steering wheel and steering system, windshield, rearview mirror, tires appropriate for street use and in safe condition, seat belts, audible horn and proof of insurance.

**343.04 PENALTIES**

- (a) Whoever violates this chapter is guilty of a minor misdemeanor on a first offense; on a second offense the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense after the second offense the person is guilty of a misdemeanor of the third degree.
- (b) In addition to the penalties set forth in paragraph a of this section, the Chief of Police may terminate the Certificate of Compliance of the owner/operator’s under-speed vehicle based on violations or infractions of this Chapter.

**SECTION 4:** That this ordinance shall go in effect and be in force at the earliest period allowed by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President of Council

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk-Treasurer

**READINGS**

\_\_\_\_\_ Suspended

\_\_\_\_\_ 1<sup>st</sup> Reading

\_\_\_\_\_ 2<sup>nd</sup> Reading

\_\_\_\_\_ 3<sup>rd</sup> Reading