

ORDINANCE NO. 2012-09

AN ORDINANCE TO REGULATE UNDER-SPEED VEHICLES, INCLUDING GOLF CARTS, REGARDING STOPPING VEHICLE; SLOW SPEED; AND POSTED MINIMUM SPEEDS.

WHEREAS, Council desires to place reasonable regulations upon those who would operate vehicles within the village; and

WHEREAS, Council desires to implement a registration process, which requires a nominal administrative fee for those who register, in order to operate golf carts or underspeed vehicles on certain village streets; and

WHEREAS, such regulations are immediately needed to protect the health, safety, and welfare of the residents of Buckeye Lake,

NOW, WHEREFORE, Be It Ordained by the Council of the Village of Buckeye Lake, State of Ohio:

SECTION 1: That the operation of under-speed vehicles on village streets shall be regulated as follows:

- (a) No person shall operate an under speed motor vehicle, including but not limited to a golf cart, on any public roadway where the posted speed limit for such roadway is thirty-five (35) miles per hour or greater, except when crossing such roadway is necessary to comply with this ordinance. No person shall operate an under speed vehicle on a public sidewalk or other leisure path.
- (b) In a case involving a violation of this section, the trier of fact, in determining whether the vehicle was being operated at an unreasonably slow speed, shall consider the capabilities of the vehicle and its operator.
- (c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

SECTION 2: That this ordinance shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED: 5-29, 2012.

ATTEST: Valerie Stone
Clerk of Council

Charlene P. Kuylen
President of Council

Date filed with Mayor: 5-29, 2012.

Date approved by Mayor: 5-29, 2012.

Richard E. Baker
Richard E. Baker, Mayor

Approved as to form: Richard S. Bindley
Richard S. Bindley, Solicitor