

VILLAGE OF BUCKEYE LAKE, OHIO

ORDINANCE NO. 2014-17

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 *NO HIGHER THAN* 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 this 11th day of August, 2014

Attest: Valerie L. Hans
Council Clerk, Valerie L. Hans

Jeryne Peterson
Council President, Jeryne Peterson

Date filed with Mayor: August 11, 2014

Date Approved by Mayor: August 11, 2014

Clay Carroll
Mayor, Clay Carroll

Approved as to Form:

Richard S. Bindley
Richard S. Bindley, Solicitor