**ORDINANCE NO. 2023 - 7**

**AN ORDINANCE REGULATING UTILITY VEHICLES AND MINI-TRUCKS WITHIN THE VILLAGE OF PAYNE, OHIO, AND REQUIRING INSPECTIONS OF THE SAME BY THE PAYNE POLICE DEPARTMENT**

**WHEREAS**, the use of utility vehicles and mini-trucks (individually referred to as "vehicle" and collectively referred to as "vehicles") on the streets of the Village of Payne, Ohio, has become more prevalent and members of the community have expressed a desire to operate these vehicles in the Village; and

**WHEREAS**, the use of these vehicles in the Village creates an issue of safety and public concern; and

WHEREAS, the Council of the Village of Payne, Ohio, desires to regulate the use of these vehicles within the Village of Payne, Ohio.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Payne, County of Paulding, State of Ohio:

**Section 1**. All utility vehicles and mini-trucks operated on public streets and highways in the Village of Payne, Ohio, shall be subject to inspection at the direction of the Chief of Police of the Village of Payne. The inspections will be conducted at the Payne Police Department located at 119 North Main Street, Payne, Ohio. Any person desiring to have such a vehicle inspected by the Payne Police Department shall contact the Department during normal business hours to make an appointment for such inspection. The inspection will be provided for a $25.00 charge, and the funds obtained from such inspections shall be designated for the police fund under the general miscellaneous line item. In order for such vehicle to pass inspection, the following must occur:

1. ﻿﻿﻿the operator must have a valid driver's license; ﻿
2. ﻿ the operator must show proof of insurance for the vehicle;﻿﻿﻿.
3. the vehicle must be equipped with two (2) rear taillights having a minimum candlepower of sufficient intensity to be plainly visible from a distance of five hundred (500) feet to the rear under normal atmospheric conditions during hours of darkness﻿﻿﻿;
4. the vehicle must have a light to illuminate the license plate which must be legible from a distance of fifty (50) feet to the rear﻿﻿﻿;
5. the vehicle must have two (2) working brake lights;
6. the vehicle must have two (2) operable headlights having a minimum candlepower of sufficient intensity to reveal persons and objects at a distance of at least one hundred (100) feet under normal atmospheric conditions during hours of darkness;
7. the vehicle must be equipped with a horn which is in good working order and capable of emitting sound audible, under normal conditions, from a distance of not less than two hundred (200) feet:
8. ﻿﻿﻿the vehicle must be equipped with a mirror so located as to reflect to the operator a view of the highway to the rear of such vehicle;
9. ﻿﻿﻿the vehicle must have a windshield (glass or safety glass); ﻿﻿﻿﻿
10. the vehicle must have proper restraints for all passengers;﻿﻿﻿﻿. the vehicle must be equipped with adequate brakes﻿﻿﻿﻿.
11. the vehicle must be equipped with a steering mechanism﻿;
12. the vehicle must be equipped with tires in a safe condition﻿;
13. the vehicle must have a muffler system capable of precluding the emission of excessive smoke or exhaust fumes, and of limiting the engine noise of vehicle﻿﻿﻿﻿;
14. the vehicle must be equipped with electrical or mechanical directional signals capable of clearly indicating an intention to turn either to the right or to the left and which shall be visible from both the front and rear;﻿﻿﻿﻿ and
15. the vehicle must have brackets for mounting one (1) license plate.

**Section 2**. Any utility vehicle as contemplated by this Ordinance is a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities, as defined in O.R.C. $4501.01(VV). Any mini-truck as contemplated by this Ordinance is a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards, as defined by O.R.C. § 4501.01(BBB).

**Section 3**. Prior to operating such a vehicle on any public street in the Village of Payne, Ohio, the vehicle shall meet the requirements as stated herein, obtain a Certificate of Inspection from the Payne Police Department and present the same to the Bureau of Motor Vehicles to obtain title, registration, and license plate for said vehicle.

**Section 4**. Once the vehicle is titled, registered and licensed, the operator of the vehicle is permitted to operate the same on the public streets in the Village of Payne that have a speed limit of 35 mph or less, but shall never operate the same on any streets that have a speed limit greater than 35 mph or on any sidewalks or other private property located within the Village of Payne.

**Section 5**. The operation of the vehicle permitted by this Ordinance shall be subject to all traffic and other laws set forth in the Ohio Revised Code, as amended from time to time, as well as set forth in the Ohio Basic Code, as amended from time to time.

**Section 6**. It is hereby found and determined that all formal actions of the Council of the Village of Payne, Ohio, concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

**Section 7**. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed: , 20 .

Lora Lyons, Interim Mayor of the Village of Payne

Attest:

Rhonda Stabler, Fiscal Officer

First Reading:

Second Reading:

Third Reading: