

Ordinance No. 1448

Passed September 1, 2009

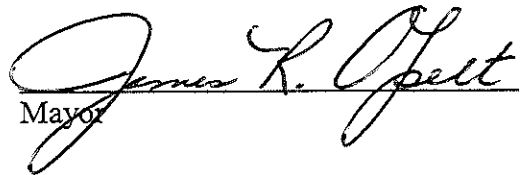
ORDINANCE AMENDING SECTIONS 75.40 ET SEQ OF THE CODIFIED ORDINANCES OF THE VILLAGE OF PEMBERVILLE, RELATING TO LICENSING AND REGISTRATION OF GOLF CARTS.


BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PEMBERVILLE, OHIO:

SECTION 1: That Section 75.40, et seq. of the Codified Ordinances of the Village of Pemberville, relating to licensing and registration of golf carts, is hereby amended and adopted in accordance with the exhibit attached hereto and made a part hereof.

SECTION 2: This Ordinance shall take place effect at the earliest time permitted by law.

Passed: September 1, 2009


Mayor

Attest:

Clerk of Council

MICHAEL J. MARSH
VILLAGE LEGAL COUNSEL

Section 75.40 LICENSE AND REGISTRATION REQUIRED

Except for emergency use, no person shall ride or use a golf cart or similar vehicle on any public street in the Village unless such vehicle is licensed and registered as hereinafter provided. No person shall operate such a vehicle in the Village who is under the age of sixteen (16) years. Whoever violates this Section is guilty of a minor misdemeanor.

Section 75.41 REGISTRATION PROCEDURE

- (A) Every owner or operator of a golf cart or similar vehicle shall list and register with the police department, his name and address, the name of the manufacturer of the vehicle and its number, style and general description.
- (B) *In the event the owner or operator of a golf cart or similar vehicle is under the age of eighteen (18) years, the parent, guardian, or person having the care of such person or with whom he lives shall make such listing and registration on behalf of such owner.*
- (C) *At the time of registration, proof of insurance coverage satisfactory to the police department must be provided.*

Section 75.42 LICENSE TAGS; REGISTRATION CARD

- (A) The police department shall provide license tags together with registration cards, which tags and cards shall have numbers stamped thereon in numerical order. Such tags shall be suitable for attachment on the golf cart or similar vehicle. It shall be the duty of the police department to issue to each owner or operator one tag, which shall be attached by such owner to the vehicle, and a corresponding registration card, on payment of the license fee herein provided for. The tag shall remain attached to the vehicle for which it was issued during the existence of the license. The police department shall also keep a record of the registration.
- (B) The operator of the golf cart or similar vehicle shall display his registration card or produce satisfactory proof that he has such registration card, and proof of insurance coverage, on the demand of any officer of the police department.

Section 75.43 SALE AND TRANSFER

- (A) It shall be the duty of every person who sells or transfers ownership of any golf cart or similar vehicle to report such sale or transfer to the police department. If such person has had his vehicle licensed, he shall also return to the police department the registration and license tag and furnish the police department with the name and address of the person to whom the vehicle was sold or transferred. This report shall be made by the person selling or transferring within five (5) days of the date of the sale or transfer.
- (B) It shall be the duty of the purchaser or transferee of the vehicle to apply immediately for a registration card and license tag, if said vehicle will be operated within the corporate limits of the Village.

Section 75.44 REPORT OF DISMANTLING

It shall be the duty of every person who dismantles, reduces to junk; or takes out of operation any registered golf cart or similar vehicle to report the same to the police department.

Section 75.45 CHANGING OR DESTRUCTION OF NUMBERS

No person shall willfully or maliciously remove, destroy, mutilate, or alter the number of any golf cart or similar vehicle. No person shall remove, destroy, mutilate, or alter any license tag registration card during the time such license tag or registration card is operative. Whoever violates this section will be guilty of a minor misdemeanor.

Section 75.46 DUPLICATE TAG OR REGISTRATION CARD

In case of loss or destruction of a license tag or registration card, or if either of the same or both should become illegible, a duplicate tag or registration card shall be issued for the fee herein set forth to the registered owner, provided that such owner gives satisfactory proof to the police department of ownership either by affidavit or otherwise.

Section 75.47 LICENSE AND TAG FEES

The license fee for the registration card and tag shall be \$25.00 for each golf cart or similar vehicle and shall be paid to the Village Clerk's Office at the time of registration. Said registration shall be valid for five (5) years. Alternatively, a one (1) year registration may be obtained for \$10.00. Golf carts brought to the Village for temporary use shall be registered and pay a fee of \$1 per day. Upon recovery of a non-registered vehicle, which is stolen and later recovered by the police, the owner shall pay \$125.00.

Section 75.48 EXPIRATION

All license tags and registration cards shall expire five years after date of original issuance or on the selling or trading of, junking of, or dismantling of the vehicle by the original registered owner, whichever occurs sooner.

Section 75.49 EVIDENCE OF IMPROPER REGISTRATION

- (A) If any golf cart or similar vehicle is found in a street without a registration tag, it shall be prima facie evidence that the vehicle is being operated without proper registration and shall be impounded as hereinafter set forth.
- (B) In the event any vehicle is found as set forth in division (A) above, the police department shall take possession and impound the vehicle until proper ownership is proven.