

ORDINANCE NO. 1182 – 18

AN ORDINANCE AMENDING SECTIONS 476.01, 476.03, 476.04, AND 476.08 OF CHAPTER 476, “SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES AND ALL-PURPOSE VEHICLES” OF THE TRAFFIC CODE, AND DECLARING AN EMERGENCY

WHEREAS, the use snowmobiles and all-purpose vehicles in the Village is common during the winter; and

WHEREAS, the Village ordinances do not generally permit the operation of snowmobiles or all-purpose vehicles on streets, highways and state highways in the Village; and

WHEREAS, House Bill 26 recently amended the Ohio Revised Code to allow the operation of snowmobiles and all-purpose vehicles on state highways on the Lake Erie Islands during certain times and under certain conditions; and

WHEREAS, the Village Council wishes to amend Village ordinances to establish reasonable rules and regulations regarding the use of snowmobiles and all-purpose vehicles on streets, highways and state highways in the Village, consistent with the recent amendments to the Ohio Revised Code contained in House Bill 26.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Put-in-Bay, County of Ottawa, State of Ohio, that:

SECTION 1: Section 476.01, “Definitions,” be amended in part to read as follows:

“Section 476.01 DEFINITIONS

As used in this chapter:

* * *

(j) “Owner.” Any person or firm, other than a lienholder or dealer, having title to a snowmobile, off-highway motorcycle, or all-purpose vehicle, or other right to the possession thereof.

(k) “Proof of financial responsibility.” Has the same meaning as in Ohio R.C. 4509.01.

~~(k)~~(l) “Snowmobile.” Any self-propelled vehicle designed primarily for use on snow or ice, and steered by skis, runners or caterpillar treads.

(m) “State highway” and “state route.” Have the same meanings as in Ohio R.C. 4511.01.

~~(n)~~(n) “Street” or “highway.” Have the same meaning as in Ohio R.C. 4511.01”

SECTION 2: Section 476.03, “Code Application; Prohibited Operation” be amended in part to read as follows:

“476.03 CODE APPLICATION; PROHIBITED OPERATION

(a) The applicable provisions of this Traffic Code ~~apply shall be applied~~ to the operation of snowmobiles, off-highway motorcycles, and all-purpose vehicles, except that no person shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle shall be operated as follows:

- (1) On any street, highway, or state highway, including a limited access highway or freeway or the right-of-way thereof, except for emergency travel ~~only~~ during such time and in such manner as the Ohio Director of Public Safety or local authority having jurisdiction shall designate, and except as provided in Section 476.04;

* * *

SECTION 3: Section 476.04, “Permitted Operation” be amended in part to read as follows:

“476.04 PERMITTED OPERATION

Snowmobiles, off-highway motorcycles, and all-purpose vehicles may be operated as follows:

* * *

(f) For snowmobiles without metal studded tracks and all-purpose vehicles, on streets, highways and state highways located on an island in Lake Erie, including limited access highways and freeways, between the first day of November and the thirtieth day of April, provided that all of the following conditions apply:

- (1) The operator has a valid driver’s license as required under Ohio R.C. 4519.44.
- (2) The snowmobile or all-purpose vehicle is in compliance with rules governing safety equipment adopted under Ohio R.C. 4519.20 and Section 476.02 of this Code.
- (3) The owner of the snowmobile or all-purpose vehicle maintains proof of financial responsibility for both on-road and off-road use of the snowmobile or all-purpose vehicle.
- (4) The operator obeys all traffic rules and regulations.”

SECTION 4: Section 476.08, “Registration of Vehicles” be amended in part to read as follows:

“476.08 REGISTRATION OF VEHICLES

* * *

(d) No registration is required for a snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this Municipality by the United States, another state or a political subdivision thereof, but the snowmobile, off-highway motorcycle, or all-purpose vehicle shall display the name of the owner thereon.

(e) No registration is required for a snowmobile or all-purpose vehicle that is operated on a street, highway or state highway as authorized by division (F) of Ohio R.C. 4519.41 and Section 476.04 of this Code.

~~(e)~~(f) The owner or operator of any all-purpose vehicle operated or used upon the waters in this Municipality shall comply with Ohio R.C. Chapter 1547 and Ohio R.C. Chapter 1548 relative to the operation of watercraft.

~~(e)~~(g) Whoever violates division (a) of this section shall be fined not less than \$50 nor more than \$100.”

SECTION 5. Chapter 476, “Snowmobiles, Off-Highway Motorcycles and All-Purpose Vehicles,” of the Traffic Code of the Codified Ordinances of the Village of Put-in-Bay, to the extent not amended by this Ordinance, shall remain in full force and effect.

SECTION 6. All Village legislation inconsistent herewith, including but not limited to ordinances, is hereby repealed.

SECTION 7. All formal actions of the Council of the Village of Put-in-Bay concerning and relating to the adoption of this ordinance were taken in open meetings in compliance with all requirements of Section 121.22 of the Ohio Revised Code.

SECTION 8. This ordinance is deemed an emergency measure necessary for the health, safety, and welfare of the residents of the Village of Put-in-Bay, Ohio, because the Village must amend its local laws to effectively enforce the City’s traffic laws. Therefore, it shall take effect and be in force immediately from and after its passage.

Passed: _____, 2018

Attest: _____
Fiscal Officer

Approved _____, 2018

Bernard M. McCann, Mayor