

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

ORDINANCE 30-23

AN ORDINANCE CREATING THE CODIFIED CODE SECTION OF THE TRAFFIC CODE AND REGULATIONS TITLE 5 SECTION 345 OF THE VILLAGE OF HEBRON DESIGNATED AS OPERATION OF ALL-PURPOSE VEHICLES

WHEREAS, the Village of Hebron has determined it is in the best interest of the Village of Hebron to allow for the operation of all-purpose vehicles within the public streets or right-of-ways of the Village of Hebron; and

WHEREAS, the Ohio Revised Code Section 4519.48 permits municipalities the ability to designate certain municipal streets legal rights-of-ways or public roads for all-purpose vehicles; and

WHEREAS, Chapter 723 of the Ohio Revised Code states that the Village of Hebron shall have the care, supervision, and control of the public highways, streets, and avenues within the municipal corporation; and

WHEREAS, the Hebron Village Council desires to designate certain municipal streets, legal thoroughfares, public streets, or right-of-ways for all-purpose vehicles;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF HEBRON, LICKING COUNTY, STATE OF OHIO, WITH A MAJORITY OF THE MEMBERS THERETO CONCURRING THAT:

Section I: The Village of Hebron hereby amends the Village of Hebron codified ordinances more specifically detailed in the attached Exhibit A by adding Title 5 Section 345 designated Operation of All-Purpose Vehicles.

Section II: The Village of Hebron pursuant to Title 5 Section 345 designates all streets but for those specifically stated in the attached Exhibit A as legal thoroughfares, public streets, or right-of-ways for all-purpose vehicles within the Village of Hebron.

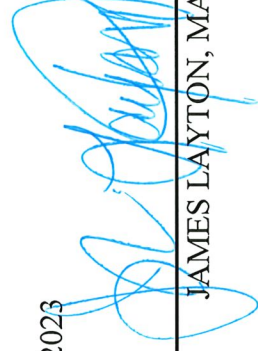
Section II: The Village of Hebron shall authorize the Licking County Sheriff's Office to register all-purpose vehicles as stated more specifically in the attached Exhibit A.

Section III: This Codified Ordinance section stated more specifically in the attached Exhibit A shall take effect and be in full force upon the earliest period allowed by law.

Passed this 13 day of December, 2023



DEBORAH MORGAN, FISCAL OFFICER



JAMES LAYTON, MAYOR

APPROVED AS TO FORM:

Wesley K. Untied, Village Solicitor

Ordinance No. _____

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SECTION 345

Operation of All-Purpose Vehicles

- 345.01 Definitions
- 345.02 Inspections, Equipment, Registration, and Certificate of Title
- 345.03 Usage and Restrictions
- 345.04 Accident Reports
- 345.99 Penalty

345.01 Definitions (as used in that chapter)

- (a) "All-Purpose Vehicle" has the same meaning as set forth in Ohio Revised Code § 4519.01 (B)
- (b) "Owner" has the same meaning as set forth in Ohio Revised Code § 4519.01 (C)
- (c) "Operator" has the same meaning as set forth in Ohio Revised Code § 4519.01 (D)
- (d) "Limited Access Highway" has the same meaning as set forth in Ohio Revised Code § 4519.01 (G)
- (e) "Interstate Highway" has the same meaning as set forth in Ohio Revised Code § 4519.01 (H)
- (f) "Street of or Highway" has the same meaning as set forth in Ohio Revised Code § 4519.01 (F)
- (g) Sidewalk shall mean that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.
- (h) "Vehicle" has the same meaning as set forth in Ohio Revised Code § 4501.01 (A)

345.02 Inspections, Equipment, Registration, and Certificate of Title

- (a) Except as otherwise provided by Ohio law, no person shall operate any all-purpose vehicle unless said vehicle is registered and numbered in accordance with Ohio R.C. 4519.03 and 4519.04 or any other applicable statute in effect.
- (b) In addition to registration, no person shall do any of the following:
 - a. Operate in this Village any all-purpose vehicles without having a certificate of title for the all-purpose vehicle, if such certificate is required by Ohio R.C. Chapter 4519 to be issued for the all-purpose vehicle, or, if a physical copy of title has not been issued for it, operate a an all-purpose vehicle knowing that the ownership information related to it has not been entered into the automated title processing system by the County Clerk of Courts.
 - b. Operate in this Village an all-purpose vehicle if a certificate of title has been issued and canceled.
 - c. Fail to surrender a certificate of title upon cancellation of it by the Register of Motor Vehicles and notice of the cancellation as prescribed by Ohio R.C. Chapter 4519.
 - d. Fail to surrender a certificate of title to a clerk of the court of common pleas as provided in Ohio R.C. Chapter 4519, in case of the destruction or dismantling of, or change in, the all-purpose vehicle as described in the certificate of title.
 - e. Violate any provision of Ohio R.C. 4519.51 to 4519.70 or any lawful rules adopted pursuant to those sections.
 - f. Operate in this Village, any all-purpose vehicle that the certificate of title to or ownership to as otherwise reflected in the automated title processing system has been cancelled.

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- (c) In addition to registration and having a valid certificate of title, the vehicle must pass inspection. In order to pass the required vehicle inspection the all-purpose vehicles must include the following equipment and any other equipment as required by Ohio Revised Code § 4513.02:
- a. Adequate brakes and braking system including a parking brake;
 - b. Properly working brake lights, head lights, taillights, and turn signals;
 - c. A properly working steering column;
 - d. A windshield to prohibit injury from roadway debris;
 - e. A rearview mirror;
 - f. A working horn audible at 200 feet distance;
 - g. Rear license plates and a license plate light to make the rear plate legible from a distance of fifty (50) feet during dark hours;
 - h. Seatbelts for all drivers and all passengers;
 - i. Appropriate tires free from any condition that may cause the tire to be unsafe or inoperable;
 - j. A muffler system shall be installed capable of precluding the emission or excessive smoke or exhaust fumes, and of limiting the engine notice of vehicles. For snowmobiles in particular, those manufactured after January 1, 1973 such requirements shall include sound dampening equipment such that noise does not exceed eight-two decibels on the "A" scale at fifty feet as measured according to SAE J192 (September 1970).
- (d) All inspections must be completed by the Licking County Sheriff's Office and shall be completed on all all-purpose vehicles for compliance with applicable safety/equipment requirements of the State of Ohio relative to motor vehicles.
- (e) Following said inspection as defined in (c and d) all all-purpose vehicles shall maintain compliance with all provisions of this section.
- (f) No person shall operate any all-purpose vehicle upon any thoroughfares, public streets, or right-of-way without a valid driver's license issued under Ohio R.C. Chapter 4506 or 4507 or a valid license from another jurisdiction and proof of financial responsibility in amounts equal to the requirements Ohio Revised Code § 4509.01(K).
- (g) No person who is less than sixteen years of age shall operate an all-purpose vehicle on any land or public right-of-way within the Village unless said individual holds a license as provided in subsection (f) hereof and they are accompanied by a person eighteen years or older.

345.03 Usage and Restrictions

- (a) The applicable provisions of this Traffic Code shall be applied to the operation of all-purpose vehicles.
- (b) No all-purpose vehicle shall be allowed to operate on any street or highway within the Village unless such all-purpose vehicle is equipped as provided by Section 345.02(c-d), is registered and has a certificate of title in accordance with section 345.02, and is operated by a person licensed in accordance with Section 345.02 of this chapter.
- (c) The applicable provisions of the Traffic Code shall be applied to the operation of all all-purpose vehicles; except the following restrictions shall apply in addition:
 - 1. No all-purpose vehicle shall operate on any private property, without the permission of the owner or other person having the right to possession of the property;
 - 2. No all-purpose vehicle shall operate on any property owned or leased by the Village other than a parking lot.
 - 3. No all-purpose vehicle shall operate on the tracks or right of way of any operating railroad;

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4. No all-purpose vehicle shall operate while transporting any firearm, bow, or other implement for hunting, that is not unloaded and securely encased;
5. No all-purpose vehicle shall operate for purpose of chasing, pursuing, capturing, or killing any animal or wild fowl;
6. No all-purpose vehicle shall operate during the time from sunset to sunrise, unless displaying lights as required by Section 345.02;
7. No all-purpose vehicle shall operate on any sidewalk or boulevard strip;

(d) In addition, said restrictions in subsections (b-d) shall not prohibit a person operating an all-purpose vehicles from operating it unregistered and without inspection as prescribed in Section 345.02 within the municipality as defined herein:

1. An all-purpose vehicle, may be permitted to cross an intersection of a thoroughfares, public streets, or right-of-way such as State Route 79, when said crossing can be made in safety and will not interfere with the traffic pattern of other vehicle.
2. An all-purpose vehicle, may be permitted off and alongside a street or highway for limited distances from the point of unloading from a conveyance to the point at which the all-purpose vehicles is intended and authorized to be operated.
3. An all-purpose vehicle, may be permitted on the berm or shoulder of a highway, other than a highway as designated in Ohio R.C. 4519.40(A), when the terrain permits such operation to be undertaken safely and without the necessity of entering any traffic lane or destroying any property.

(e) No person, except for an agent or employee of the Village of Hebron for maintenance purposes, shall operate an all-purpose upon any sidewalk or shared-use path.

345.04 Accident Reports

(a) The operator of an all-purpose vehicle involved in any accident resulting in bodily injury to or death of any person or damage to the property of any person in excess of one hundred dollars (\$100.00) shall report the accident within forty-eight hours to the Chief of Police, and, within thirty days, shall forward a written report of the accident to the Ohio Registrar of Motor Vehicles on a form prescribed by the Registrar. If the operator is physically incapable of making the reports and there is another participant in the accident said participant, if not incapacitated, shall make the reports as prescribed above. If there is no other participant and the operator during the accident was not the owner, the owner shall make the reports as prescribed above.

(b) Any law enforcement officer or other person authorized by Ohio R.C. § 4519.42 and R.C. § 4519.43, who investigates or receives information of an accident involving an all-purpose vehicle, snowmobile, or off-highway motorcycle shall forward said information to the Register within forty-eight hours as prescribed by R.C. § 4519.46.

345.99 Penalty

(a) Except as otherwise provided in this Chapter, whoever violates any provision of this section is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or plead guilty to a previous offense of this section the offender shall be 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 offenses of this section the offender shall be guilty of a misdemeanor of the third degree.