

Councilwoman Holly Swenk, Chair
Councilwoman Georgia Awig
Councilman Martin DeVries



Safety Committee
CITY HALL COUNCIL CHAMBERS
AGENDA OF JUNE 3, 2024
6:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Safety Committee Minutes dated April 17, 2023

NEW BUSINESS

2024-58 An Ordinance amending North Ridgeville Codified Ordinance Section
660.13 Smoking in Places of Public Assembly.
(Introduced by Mayor Corcoran)

ADJOURNMENT

**NORTH RIDGEVILLE CITY COUNCIL
SAFETY COMMITTEE MEETING MINUTES
CITY COUNCIL CHAMBERS – 6:15 p.m.
MONDAY, APRIL 17, 2023**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

Chairwoman Holly Swenk called the Safety Committee meeting to order at 6:15 p.m. and led the Pledge of Allegiance.

ROLL CALL:

Members present were Chairwoman Holly Swenk, Councilman Bruce Abens, and Councilman Martin DeVries.

Also present: Mayor Kevin Corcoran, Law Director Brian Moriarty, Council President Jason Jacobs, Councilman Dennis Boose, Councilwoman Georgia Awig, Councilman Clifford Winkel, Police Chief Mike Freeman, and Assistant Clerk of Council Fijabi Gallam.

APPROVAL OF MINUTES:

Councilman Holly Swenk asked if there were any corrections to the Safety Committee Meeting Minutes dated February 21, 2023. No discussion was offered. The meeting minutes stand approved as submitted.

New Business:

Councilwoman Swenk asked if anyone from the public would like to give comments or concerns regarding T4-2023. No discussion was offered.

T 4-2023 AN ORDINANCE CREATING N.R.C.O. CHAPTER 478, REGULATING THE OPERATION OF LOW-SPEED AND UNDER-SPEED VEHICLES.
(Introduced by Councilwoman Swenk)

Chair Swenk provided an overview and purpose of the legislation. Chair Swenk would like to find the best way to allow low-speed and under-speed vehicles on city roads. There have been multiple discussions regarding T 4-2023 and there have been some changes in the legislation.

Chair Swenk asked if anybody on the committee had any questions or concerns regarding T 4-2023. No comments from the Committee.

Chair Swenk asked for any other comments or questions from the administration.

Mayor Corcoran remarked that Chief Freeman is available to discuss the legislation.

Chief Freeman expressed that he has some serious safety concerns. He understood that there are places that allow the vehicles in question. The places are more resort-oriented, like Put-in-Bay. The City of North Ridgeville is not designed to have the vehicles in question on public streets. Chief Freeman explained the following concerns.:

- Roads with 25 mph and roads in developments have a high number of vehicles using those roadways;
- The vehicles are not designed to take a hit or crash;
- Concerned about the idea that the vehicles could be a danger to 16-year-olds and younger;
- Child car seats in the vehicles;
- Some of the vehicles do not have airbags.

Chair Swenk asked for any other comments or questions from the administration and City Council. Chair Swenk presented a picture of the vehicles in question to the committee. The picture is attached to the minutes. Chair Swenk, Chief Freeman, and Mayor Corcoran pointed out the following.:

- The vehicle is plated and titled by the Ohio BMV. The vehicle also has full coverage insurance. The person driving the vehicle could be ticketed.
- The vehicle currently can't be on City of North Ridgeville streets, or they would be ticketed.
- The proposed legislation also talks about low-speed, under-speed utility vehicles, or mini trucks. The legislation is not limited to golf carts.
- There are different versions and years of golf carts. Older golf carts could have just a windshield and no other safety features.
- Proposed N.R.C.O section 478.05 Inspection and Title Requirements separate the different types of vehicles.
- The pros outweigh the cons from a safety aspect.

Chair Swenk remarked that many of the changes were made to consider the Chief's concerns.

Councilman DeVries expressed that he is worried about the North Ridgeville Officers having the time to enforce the proposed section N.R.C.O. 4780.05. He wanted to know the process for the responsibility. Councilman DeVries believed that instead of taking care of the issues for motorcycles and speed bikes, creating T 4-2023 would add more to the problems. He added that he would vote yes to send the legislation back to City Council for consideration, but it does not mean he supports the legislation. He would like to have all of the City Council votes on the legislation. Councilman DeVries does not think it is practical for the City of North Ridgeville and is worried about people using it inappropriately.

Chief Freeman expressed that he could see the vehicle in 50-year-old and older communities instead of residential neighborhoods.

Councilman Abens explained that the legislation does state the vehicles in question restrict vehicles from being on roads that are more than 25 mph. This restriction does allow the officers to give citations to owners of the vehicles when on roads that are more than 25 mph. Councilman Abens noted that it would be hard for anyone to get to the schools in these vehicles because of the road requirements.

Chair Swenk asked for any other comments or questions.

Chair Swenk does agree with Chief Freeman on allowing the vehicles in the 50 years old and older communities, but there are pools in other developments that could benefit from using these vehicles. Chair Swenk explained that she has seen other cars on the streets that don't have safety features.

Chief Freeman explained that batmobiles and golf carts are two different vehicles. He added that the number one crash cause is the speed in America. Golf carts and others like it would be subjected to crashes because there is a difference in speed from regular motor vehicles. Chief Freeman reiterated that people would get hurt in these types of vehicles.

Chair Swenk agreed and understood Chief Freeman's statement. She noted that there are risks with driving a motorcycle as well.

Chair Swenk asked for any other comments or questions. No discussion was offered.

Moved by Swenk and seconded by DeVries to send T4-2023 back to City Council to consider and amend with the following changes.

- Added, "speedometer" to the equipment list
- Added, "Low-Speed Vehicle (LSV) or under-speed vehicle means a vehicle:
 - a) that is 4-wheeled,
 - b) whose speed attainable in one mile is more than 20mph and not more than 25mph on a paved surface;whose gross vehicle weight rating is not more than 3,000 pounds.

All LSVs must meet all U.S. federal safety standards and state/local laws

- Added under 478.05 (b), "displaying a reflective triangular shaped sticker/decals issued by the inspecting authority....."

A voice vote was taken and the motion carried.

Yes – 3 No – 0

No further business.

Adjournment:

Chairwoman Swenk adjourned the meeting at 6:30 p.m.

Date Approved:

Fijabi Gallam, MMC
Assistant Clerk of Council



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action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

Exhibit A:

660.13 SMOKING IN PLACES OF PUBLIC ASSEMBLY

1. As used in this section, "place of public assembly" means:
 1. Enclosed theaters, except the lobby; opera houses; auditoriums; classrooms; elevators; rooms in which persons are confined as a matter of health care, including but not limited to a hospital room and a room in a rest home serving as the residence of a person living in such rest home;
 2. All buildings and other enclosed structures owned by the State, its agencies or political subdivisions, including but not limited to hospitals and State institutions for the mentally ill and persons with intellectual disabilities; university and college buildings, except rooms within those buildings used primarily as the residences of students or other persons affiliated with the university or college; office buildings; libraries; museums; and vehicles used in public transportation. That portion of a building or other enclosed structure that is owned by the State, a State agency or a political subdivision and that is used primarily as a food service establishment is not a place of public assembly.
 3. Each portion of a building or enclosed structure that is not included in subsection (a)(1) or (2) hereof is a place of public assembly if it has a seating capacity of fifty or more persons and is available to the public. Restaurants, food service establishments, dining rooms, cafes, cafeterias or other rooms used primarily for the service of food, as well as bowling alleys and places licensed by the Department of Liquor Control to sell intoxicating beverages for consumption on the premises, are not places of public assembly.
2. For the purpose of separating persons who smoke from persons who do not smoke for the comfort and health of persons not smoking, in every place of public assembly there shall be an area where smoking is not permitted, which shall be designated a no smoking area, provided that not more than one-half of the rooms in any health care facility in which persons are confined as a matter of health care may be designated as smoking areas in their entirety. The designation shall be made before the place of public assembly is made available to the public. In places included in division (a)(1) of this section, the local fire authority having jurisdiction shall designate the no smoking area. In places included in division (a)(2) of this section that are owned by the State or its agencies, the Ohio Director of Administrative Services shall designate the area, and if the place is owned by a political subdivision, its legislative authority shall designate an officer who shall designate the area. In places included in division (a)(3) of this section, the person having control of the operations of the place of public assembly shall designate the no smoking area. In places included in division (a)(2) of this section which are also included in division (a)(1) of this section, the officer who has authority to designate the area in places in division (a)(2) of this section shall designate the no smoking area. A no smoking area may include the entire place of public assembly. Designations shall be made by the placement of signs that are clearly visible and that state "no smoking." No person shall remove signs from areas designated as no smoking areas.
3. This section does not affect or modify the prohibition contained in Ohio R.C. 3313.751(B).
4. No person shall smoke in any area designated as a no smoking area in accordance with division (b) of this section.
5. Whoever violates this section is guilty of a minor misdemeanor.

(ORC 3791.031)

Exhibit B:

Section 660.13 SMOKING PROHIBITED IN MUNICIPALLY OWNED AND OPERATED BUILDINGS, PLAYGROUNDS AND PARKS.

- (a) Smoking in any form is prohibited in any and all municipally owned or operated buildings and within 25 feet of No Smoking signs posted in parks, cemeteries, and playgrounds within the city.
- (b) Signs indicating that smoking is prohibited shall be adequately posted and displayed in every places of public assembly, park, and playground where smoking is regulated by this section, or according to ORC 3791.031, so as to ensure proper notice to members of the general public.
- (c) “Municipality Owned” is defined as any unenclosed land owned or managed by the City including, but not limited to City Parks, parking lots, and landscaped areas, but excluding dedicated public streets, sidewalks, and tree lawns.
- (d) Exceptions, suspensions, or modifications to the smoking prohibitions in this section may be made by permit for special events by the Mayor.
- (e) “Smoke” or “Smoking” means inhaling, chewing, exhaling, burning, vaping, or carrying any lighted cigar, lighted cigarette, lighted pipe, or other lighted tobacco or marijuana product in any manner or any form. “Smoking” does not include smoking that is associated with a recognized religious ceremony, ritual, or activity, including but not limited to burning of incense.
- (f) Whoever violates any of the provisions of this Section is guilty of a minor misdemeanor.”