

Councilwoman Holly Swenk, Ward 1 and Chair
Councilman Bruce Abens, Ward 3
Councilman Martin DeVries, At Large



SAFETY COMMITTEE MEETING
CITY COUNCIL CHAMBERS
AGENDA OF MONDAY, APRIL 17, 2023
6:15 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Safety Committee Meeting Minutes dated February 21, 2023
(Committee action required)

NEW BUSINESS

- 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 and Resident Kim Nakoff)

ADJOURNMENT

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**NORTH RIDGEVILLE CITY COUNCIL
SAFETY COMMITTEE MEETING MINUTES
POLICE DEPARTMENT TRAINING ROOM – 6:00 p.m.
Monday, February 21, 2023**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE:

Chairwoman Holly Swenk called the Safety Committee meeting to order at 6:00 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, President Jason Jacobs, Councilman Dennis Boose, Councilwoman Georgia Awig, Councilman Clifford Winkel, 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 July 11, 2022. 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 and Resident Kim Nakoff)

Councilwoman Swenk provided an overview and purpose of the legislation. Chair Swenk described that the vehicle is a modified golf car and would like to find the best way to allow low-speed and under-speed vehicles on city roads. Low-speed and under-speed vehicles are not allowed on residential streets. A resident requested there should be something in the City's Ordinance that regulates low-speed and under-speed vehicles.

Chair Swenk added that the low-speed vehicle has brake lights, rearview mirrors, and turn signals. A picture was presented to the Committee.

Chair Swenk asked if anybody on the committee had any questions or concerns regarding T 4-2023.

Councilman Abens wanted to know if the State of Ohio regulates these types of vehicles.

Law Director Brian Moriarty noted that the Ohio Revised Code Section 4511.214 talks about the operation of low-speed, under-speed, or utility vehicles. There's another provision in the revised code that gives local municipalities the ability to adopt their resolutions or ordinances to add modifications to the State regulations.

Councilman Abens wanted to know if the City is making any modifications to the Ohio Revised Code at the local level.

Mr. Moriarty suggested that the City could limit the vehicles in question to not cross streets that are 35 mph or more. This way the vehicles are always restricted to 25 mph areas.

Councilman DeVries believed the most important part of the section is that a person has to be 16 years old to have a driver's license. He added that in the southern United States, even in Florida, low-speed and under-speed vehicles are becoming more and more prominent in new Developments.

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

Mayor Corcoran remarked that he spoke to Chief Freeman about T 4-2023. He explained that golf carts are not the only vehicles that are permitted by this ordinance. Other vehicles could be used under T 4-2023 that the City is currently receiving complaints about people driving fast in neighborhoods where it is 25 mph.

Mayor Corcoran listed the following concerns from Chief Freeman:

- Concerned about the vehicles lacking certain safety protections that regular vehicles have. For example, there's nothing on the side to prevent people from injuries in a T-bone accident. These types of cars lack a lot of safety provisions and the vehicles are not crash-rated.
- Concerned with the vehicle being on 25 mph streets.
- Concerned about the idea that the vehicles could be a danger to 16-year-olds and younger.

Chair Swenk remarked that the City could extend the age on the legislation for who is allowed to use these types of vehicles.

Councilman Boose remarked that he used to work with a dealer that sold and serviced these types of vehicles. The use of the vehicles was for lake communities, campgrounds, large factories, and places where they didn't use city streets. He added that he has some of the same concerns as the Police Chief. He expressed his concerns the police officers have to review the ownership and registration of the golf cars. Councilman Boose suggested the City to require all low-speed vehicles to get a speedometer.

Councilman Jacobs wanted to know what constitutes low speed.

Resident Kim Nakoff remarked that her vehicle can't go over 25mph and has a speedometer.

Chair Swenk wanted to add a requirement for the speedometer.

Mayor Corcoran asked if Resident Kim Nakoff had a governor on her vehicle to limit the top speed.

Resident Kim Nakoff explained that her vehicle has a governor.

Mayor Corcoran added that a governor could always be taken off. He expressed that it is always dangerous to create legislation for one person because there is a lot to consider when regulating something for about 36,000 people. He continued to caution the City Council.

Resident Kim Nakoff wanted to know the difference between a low-speed and a motorcycle that has no seat belts.

Discussion ensued on how low-speed and under-speed vehicles are not safe or is safe. Safety is the primary goal.

Chair Swenk wanted to know if the vehicles in question could ride on the Homeowners Association walking paths and sidewalks.

The answer was that it is not allowed.

Councilman Boose added that there is a difference in license qualification between a motorcycle and a low-speed vehicle.

Councilman Abens expressed that he is concerned with the residents adventuring out of their neighborhood once the vehicles become popular; however, he understands residents wanting to use them in their neighborhoods.

Councilman Boose explained that the vehicle that is owned by Resident Kim Nakoff meets all of the criteria, but he is concerned about the others that wouldn't.

Councilman Winkel noted that the ORC mentioned infants and kids in car seats and suggested that the City Council should consider regulations regarding car seats.

Councilman DeVries is concerned with policing the regulations.

Resident Kim Nakoff noted that there are several golf cars in her neighborhood. The Lorain County Sheriff would inspect the vehicles and give the resident a sticker.

Other council members expressed that there are golf cars in their communities and being used illegally.

Councilwoman Awig expressed that her concerns are regarding the safety of the vehicles.

The vehicles run on battery and not gas.

Discussions ensued regarding the safety of low-speed and under-speed vehicles.

Chair Swenk asked if anybody from the public had any comments or questions regarding T 4-2023.

Kimberley Nakoff at 37445 Tail Feather Drive, explained that the vehicle in question has more safety features than a motorcycle or anything like it. The vehicle has three-point safety belts and they are street-legal.

Chair Swenk believed more discussion is needed for T 4-2023 to talk about the suggestions Mr. Moriarty recommended.

Moved by Swenk and seconded by Abens to table T 4-2023 to a future meeting.

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

DRAFT

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

478.02 Equipment.

Low-speed and under-speed vehicles operated on the streets, highways, and public property within the corporate limits of the City of North Ridgeville, Ohio, shall have a minimum of the following functional equipment thereon:

- (a) **Speedometer**
- (b) At least one working rear red-colored tail light;
- (c) License plates in the front and rear of the low-speed or under-speed vehicle bracketed to the vehicle;
- (d) A light to illuminate the rear license plate and make the plate legible from a distance of 50 feet;
- (e) At least one working brake light;
- (f) Two headlights, white or clear in color;
- (g) A horn;
- (h) A rearview mirror;
- (i) A windshield;
- (j) A windshield wiper;
- (k) Turn signals;
- (l) Brakes sufficient to stop within 40 feet;
- (m) An emergency brake sufficient to hold the vehicle on any grade;
- (n) Working exhaust system if the unit has an internal combustion system;
- (o) One seat belt per occupant of the vehicle;
- (p) A child safety seat installed to manufacturer specifications for any occupant under the age of four or under 40-pounds in weight;
- (q) A child booster safety seat installed to manufacturer specifications for any occupant between the ages of four and eight or under 4'9" in height.

478.03 Licensing Requirements of Operator.

- (a) The operator of a low-speed or under-speed vehicle on public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, shall have a valid driver's license.
- (b) The operator of a low-speed or under-speed vehicle on public roadways or public property in the City of North Ridgeville shall be no less than 16 years of age.

478.04 Insurance Requirement of Owner and Operator.

- (a) The owner of a low-speed or under-speed vehicle that is driven on public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, shall maintain proof of financial responsibility thereon as required by the Ohio Revised Code.
- (b) The operator of a low-speed or under-speed vehicle that is driven on public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, shall have in his/her possession proof of insurance while operating the low-speed or under-speed vehicle.

478.05 Inspection and Title Requirements.

- (a) No person shall operate a low-speed or under-speed vehicle on public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, without first obtaining an inspection by the Chief of Police of the City of North Ridgeville, Ohio, the Lorain County Sheriff, or the law enforcement official of another jurisdiction within the State of Ohio.
- (b) No person shall operate a low-speed or under-speed vehicle on the public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, without permanently displaying a reflective triangular-shaped sticker/decals issued by the inspecting authority on the low-speed or under-speed vehicle.
- (c) No person shall operate a low-speed or under-speed vehicle on public roadways or public property within the corporate limits of the City of North Ridgeville, Ohio, without first obtaining a Certificate of Title from the Clerk of Courts.
- (d) If the Chief of Police of the City of North Ridgeville, Ohio, or his/her designee, or another agent designated and approved by the State of Ohio, determines that the low-speed or under-speed vehicle complies with the State of Ohio's statutory requirements that are applicable to motor vehicles, the Chief of Police of the City of North Ridgeville, Ohio, shall issue the owner or operator a certificate of compliance entitling the owner or operator to operate the low-speed or under-speed vehicle on the streets within the corporate limits of the City of North Ridgeville. The owner or operator shall also show the Chief of Police of the City of North Ridgeville, Ohio, or his/her designee, proof of liability insurance for the low-speed or under-speed vehicle before a certificate of compliance is issued. The owner or operator of any low-speed or under-speed vehicle shall be required to pay a fee in the amount of \$20.00 to the City

of North Ridgeville through the Police Department of the City of North Ridgeville, Ohio, before the low-speed or under-speed vehicle may be operated on the streets of the corporate limits of the City of North Ridgeville, Ohio. Any certificate issued pursuant to this section by the Chief of Police of the City of North Ridgeville, Ohio, shall expire upon the transfer or sale of the low-speed or the under-speed vehicle. The Chief of Police of the City of North Ridgeville, Ohio, shall keep a copy of each certificate issued pursuant to this section. The owner or operator of any low-speed or under-speed vehicle shall keep a copy of any certificate issued pursuant to this section inside the low-speed or under-speed vehicle to which it pertains. The Chief of Police of the City of North Ridgeville, Ohio, shall issue a sticker or other similar device to the owner of each low-speed or under-speed vehicle once it is inspected. The sticker shall signify compliance with this section. The owner of each low-speed or under-speed vehicle shall display the sticker in a conspicuous place on the rear of the low-speed or under-speed vehicle.

478.06 Operation.

- (a) No person shall operate a low-speed or under-speed vehicle upon any street within the corporate limits of the City of North Ridgeville, Ohio, where the posted speed limit exceeds twenty-five miles per hour. An operator of a low-speed or under-speed vehicle may cross intersections only at such intersections in which the posted speed limit is twenty-five miles per hour or less. The operator of a low-speed or under-speed vehicle shall comply with all other applicable laws.

478.07 Penalty.

- (a) Except as otherwise provided, 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 pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is 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 predicate motor vehicle or traffic offenses, whoever violates his section is guilty of a misdemeanor of the third degree.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. 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