

Village of Newcomerstown

Ordinance No. 04-2026

Passed

AN ORDINANCE AMENDING THE AUTHORIZATION OF THE USE OF UTILITY VEHICLES (UTV'S),SIDE-BY-SIDE, MINI TRUCK, LOW SPEED VEHICLES, AND UNDER SPEED VEHICLES ON VILLAGE STREETS, TO ALLOW SUCH USE WHERE THE SPEED LIMIT IS FORTY (40) MILES PER HOUR OR LESS, PROVIDING AN INSPECTION PROGRAM THEREFORE, AND REPEALING INCONSISTENT LEGISLATION.

Whereas, the Village wishes to institute its own local laws and inspection program for UTV and side by side use, as required by Substitute Senate Bill 114, as well as mini-trucks, low speed and under speed vehicles, to allow such vehicles on Village streets; and

Whereas, the Village desires to all the aforementioned vehicles (as defined below) on Village streets, as authorized by Substitute Senate Bill 114.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWCOMERSTOWN, COUNTY OF TUSCARAWAS, AND STATE OF OHIO, THAT PROPOSED LEGISLATION BE APPROVED AS FOLLOWS:

Utility Task Vehicle (UTVs), Mini-Trucks, Low-speed, and Under-Speed Vehicles

Section 1: Definitions

Section 2: Equipment

Section 3: Code Application

Section 4: Current Permit Sticker required for operation in the Village of Newcomerstown

Section 5: Temporary operating permit for operation in the Village of Newcomerstown

Section 6: Violation/Penalty

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Section 1: Definitions

“UTV”: A UTV (Utility task vehicle) is a four to six wheel off road vehicle or side by side equipped with steering wheel and seating with seatbelts, foot pedals, and a roll bar or cage.

“Mini Truck”: A vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred (7,500) watts or less, or an internal combustion engine with a piston displacement capacity of six hundred sixty (660) cubic centimeters or less, has a total dry weight of nine hundred (900) to two thousand two hundred (2,200) pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.

“Owner”: Any person or firm, other than a lienholder or dealer, having title to an all-purpose vehicle, or other right to the possession thereof.

“Operator”: Any person who operates or is in actual physical control of a UTV or Mini-Truck.

“Street”: Any Village of Newcomerstown Street with posted speed limit of forty (40) miles per hour or less.

“Low Speed Vehicle”: A three or four wheeled motor vehicle with an attainable speed of twenty-five (25) MPH and with a gross vehicle weight rating less than three thousand (3,000) pounds.

“Under-speed Vehicle”: A three or four wheeled vehicle, including a vehicle commonly know as a golf cart, with an attainable speed on a paved level surface of less than twenty-five (25) MPH and with a gross vehicle weight rating less than three thousand (3,000) pounds.

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Section 2: Equipment

Equipment that UTV's, Mini-Trucks, Low-Speed Vehicles shall include but not necessarily be limited to, are the following items:

- 1) At least one (1) working rear taillight
- 2) At least one (1) light to illuminate a license plate and make a license plate legible from a distance of fifty (50) feet
- 3) At least two (2) working brake lights
- 4) At least two (2) working headlights
- 5) At least one (1) rearview mirror
- 6) Left and Right working turn signals visible from front and rear
- 7) One (1) working horn
- 8) A windshield made of glass or safety glass, or occupants must wear eye protection
- 9) A bracket for mounting a license plate on the rear of the vehicle
- 10) Safety belts for all vehicle occupants
- 11) A muffler system capable of precluding the emission of excessive smoke or exhaust fumes, and of limiting the engine noise of the vehicle
- 12) Any other equipment required by the Ohio Revised Code for such vehicles

Section 3: Code- Application

1. UTVs and Mini Trucks may be operated on streets and highways of the Village of Newcomerstown having a speed limit of Forty (40) miles per hour or less, except anywhere on State Route 258 (Pilling Street) unless crossing, provided the following standards are complied with:
 - a. All state and Village traffic codes are complied with by the owner/operator of the vehicle
 - b. The owner/ operator can show current proof of financial responsibility and/or insurance at the time for registration of the vehicle, as with any other motor vehicle operation in the State of Ohio
 - c. The vehicle displays a valid sticker from the Village of Newcomerstown as required by this Ordinance
 - d. The owner/operator has a current Ohio Driver's License AND is eighteen (18) years of age or older

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- e. Prior to the operation of the Multi-use Vehicle on village streets, the vehicle is registered in accordance with Ohio Revised Code Section 4503, and titled in accordance with Ohio revised code section 4505
 - f. The vehicle is not an Out of State Multi-Use vehicle
 2. Low-Speed vehicles may be operated on streets and highways of the Village of Newcomerstown having a speed limit of forty (40) miles per hour, subject to the same restrictions set forth in sections A-F above.
 3. At no time may Under-Speed vehicles be operated on streets and highways of the Village of Newcomerstown, except that in the event an individual with mobility issues has an Under-Speed vehicle that does not qualify as a low-speed vehicle, that individual can request an appeal to the Streets, Sidewalks, and Recreation Committee, or Village Council, to petition for permission to obtain a special classification to allow the vehicle for use on the streets in the Village.
 4. At no time shall any vehicles listed in this Ordinance be driven or operated on sidewalks, street lawns, or curbs/ curb strips.

Section 4: Current permit sticker required for operation in the Village of Newcomerstown

1. All UTV's, Mini Trucks, low Speed vehicles intended to be driven within the Village must be inspected by the Village of Newcomerstown and receive a sticker to be displayed. If a UTV, Mini- Truck, or Low speed vehicle passes inspection, the owner/ operator will be issued an inspection sticker. The sticker must be placed on the Driver side, rear of the vehicle so that it is easily visible. The sticker must always remain visible while operating the vehicle on village streets. If an inspection sticker is lost, damaged, or destroyed, a replacement sticker must be obtained from the Police Department at a cost of \$5.00.
2. Stickers shall be valid for one year from their issue date. The sticker is non-transferable.
3. The cost for an initial inspection and a sticker shall be fifty dollars (\$50) per year. Individuals must pick up a new sticker each year, but the aforementioned fee will be waived for applicants in consecutive years if an individual has no violations of this Ordinance.
4. The Newcomerstown Police Department shall keep and maintain a list of individuals who have violated this Ordinance. If an individual has a violation of this Ordinance

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within the previous year, the \$50 fee set forth in subsection 3 above shall be paid by that individual.

5. Inspections shall be completed by appointment only at the Village of Newcomerstown Police Department, 124 W Church Street, Newcomerstown Ohio 43832. Appointments can be made by calling (740) 498-6161.
6. The Village of Newcomerstown shall be authorized to refuse to issue a permit or revoke a permit previously issued if the operator has not complied with the rules set forth in this ordinance.

Section 5: Temporary Operating permit for operating in the Village of Newcomerstown

1. A permit, when purchased, shall allow for the operation of a UTV, Mini-truck, Low-Speed vehicle on village streets between the hours of 7:00AM and 11:00PM. The cost of the sticker shall be fifteen (\$15) dollars and will allow the vehicle to be operated for a period of five (5) days per week.

Section 6: Violation/ Penalty

1. A violation of this ordinance shall be a minor misdemeanor offense punishable by a fine of not less than one hundred dollars (\$100), and not more than one hundred fifty dollars (\$150). Each day of non-compliance with this ordinance shall constitute a separate violation.

Passed this _____ day of _____, 202_____

PAT CADLE, MAYOR

Adopted: _____

Attest: _____

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FISCAL OFFICER

APPROVED AS TO FORM: _____

VILLAGE SOLICITOR