

**VILLAGE OF WEST LAFAYETTE, OHIO  
ORDINANCE NO. 2019-60**

**ORDINANCE REGULATING THE OPERATION OF ALL-PURPOSE  
VEHICLES ON THE STREETS, HIGHWAYS, AND OTHER PUBLIC PROPERTY  
UNDER THE JURISDICTION OF THE VILLAGE OF WEST LAFAYETTE**

WHEREAS, Title VII of the Traffic Code of the Village of West Lafayette (Ohio Basic Code), including but not limited to Section 75.25 through Section 75.35, contains certain rules and regulations concerning all-purpose vehicles;

WHEREAS, Section 75.25 defines an "all-purpose vehicle" as "any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, mini-bikes and trail bikes. The term does not include a utility vehicle as defined in R.C. § 4501.01 or any vehicle principally used in playing golf, any motor vehicle or aircraft required to be registered under R.C. Chapter 4503 or R.C. Chapter 4561, and any vehicle excepted from definition as a motor vehicle by R.C. § 4501.01(B);"

WHEREAS, Section 75.26 of the Village of West Lafayette Traffic Code addresses certain equipment required for all-purpose vehicles;

WHEREAS, Section 75.27 of the Village of West Lafayette Traffic Code states that the applicable provisions of the traffic code apply to the operation of all-purpose vehicles, and lists certain prohibitions on the operation of all-purpose vehicles;

WHEREAS, Section 75.28 of the Village of West Lafayette Traffic Code states certain permissible operations of all-purpose vehicles;

WHEREAS, Section 75.31 of the Village of West Lafayette Traffic Code contains requirements for reporting of accidents involving all-purpose vehicles;

WHEREAS, Section 75.34 of the Village of West Lafayette Traffic Code addresses registration of all-purpose vehicles;

WHEREAS, Section 75.35 of the Village of West Lafayette Traffic Code addresses certificates of titles for all-purpose vehicles;

WHEREAS, Section 75.33 of the Village of West Lafayette Traffic Code and Ohio Revised Code Section 4519.48 provide that the Village of West Lafayette may regulate the operation of all-purpose vehicles on the streets, highways, and other public property under the Village's jurisdiction; and



WHEREAS, the Council for the Village of West Lafayette desires to further regulate the operation of all-purpose vehicles on the streets, highways, and other public property under the Village's jurisdiction, as set forth herein.

NOW THEREFORE, be it ordained by the Council of the Village of West Lafayette, a majority of all Council members concurring that:

### **Section 1. Purpose and Application of Ohio Basic Code**

The purpose of this Ordinance is to further regulate the operation of all-purpose vehicles on the streets, highways, and other public property under the Village's jurisdiction. Title VII of the Traffic Code of the Village of West Lafayette (Ohio Basic Code), including but not limited to Section 75.25 through Section 75.35 of the Traffic Code, and any and all subsequent or future editions of the Ohio Basic Code adopted by the Village, shall continue to apply to all-purpose vehicles. Section 75.25 through Section 75.35 of the Village of West Lafayette Traffic Code shall not be construed as being repealed or modified by this Ordinance, except as expressly stated herein.

### **Section 2. Definitions**

For the purpose of this Ordinance, the following definitions shall apply:

**"All-Purpose Vehicle"** has the same meaning as set forth in Section 75.25 of the Village of West Lafayette Traffic Code. All-Purpose Vehicle means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, mini-bikes and trail bikes. The term does not include a utility vehicle as defined in R.C. § 4501.01 or any vehicle principally used in playing golf, any motor vehicle or aircraft required to be registered under R.C. Chapter 4503 or R.C. Chapter 4561, and any vehicle excepted from definition as a motor vehicle by R.C. § 4501.01(B).

**"Side-By-Side ATV"** means an all-purpose vehicle with car-like controls including pedals and a steering wheel, and with bench seating or separate seating for two or more persons. A side-by-side ATV does not include an all-purpose vehicle that has a saddle-like seat and uses motorcycle-like controls such as handlebars.

### **Section 3. Prohibited Operation**

(A) In addition to the prohibitions on the operation of all-purpose vehicles listed in Section 75.27 of the Village of West Lafayette Traffic Code, and except as otherwise set forth herein and in Section 75.28 of the Village of West Lafayette Traffic Code, no person shall operate an all-purpose vehicle on the streets, highways, and other public property under the Village's jurisdiction.



(B) Whoever violates this Section shall be fined not less than \$50.00 nor more than \$500, imprisoned not less than 3 nor more than 30 days, or both.

#### **Section 4. Permitted Operation**

(A) In addition to the permitted operation of all-purpose vehicles listed in Section 75.28 of the Village of West Lafayette Traffic Code, side-by-side ATVs may be operated on the alleys, streets, and highways under the jurisdiction of the Village of West Lafayette, in accordance with the applicable provisions of the Traffic Code of the Village of West Lafayette, between the hours of 7:00 a.m. and 11:00 p.m.

(B) All-purpose vehicles may be operated on sidewalks under the jurisdiction of the Village of West Lafayette, Village streets, and Village off-street rights-of-way for the purpose of snow removal, property maintenance, or landscaping activities at the adjacent property, and for travel to and from such locations for the purpose of such activities, at any time.

#### **Section 5. Equipment**

(A) In addition to the requirements for equipment set forth in Section 75.26 of the Village of West Lafayette Traffic Code, equipment of side-by-side ATVs operated on the alleys, streets, and highways under the jurisdiction of the Village of West Lafayette shall include the following items of equipment:

- i. Two Headlights
- ii. Two Taillights
- iii. Brake Lights
- iv. Side View Mirrors
- v. Rear View Mirror
- vi. Turn Signals
- vii. Hazard Lighting
- viii. Horn
- ix. Passenger Restrain System

(B) No person shall operate any all-purpose vehicle in violation of this Section.

(C) Whoever violates division (B) of this Section shall be fined not more than \$50. If the offender within the preceding year previously has committed a violation of division (B) of this Section or of R.C. § 4519.20(B), whoever violates division (B) of this Section shall be fined not less than \$15 nor more than \$100, imprisoned not more than three days, or both.

#### **Section 6: Financial Responsibility/Liability Insurance**

Any person operating an all-purpose vehicle on the Village of West Lafayette alleys, streets, highways and/or other public property shall comply with Ohio Revised Code Chapter 4509, including but not limited to the provisions of Ohio Revised Code Section 4509.101 which prohibits a person from operating a motor vehicle unless proof of financial responsibility is




maintained.

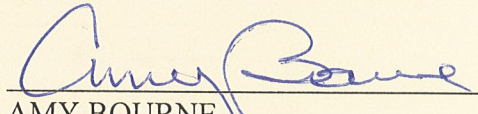
**Section 7: Open Meetings**

It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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 compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

Passed at a regular meeting of the West Lafayette Village Council duly convened with a quorum present this 16 day of December 2019.

  
STEPHEN R. BORDENKIRCHER,  
MAYOR

ATTEST:

  
AMY BOURNE,  
FISCAL OFFICER