



## Legislation Details (With Text)

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**File #:** 2060-2021      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/15/2021      **In control:** Rules & Reference Committee

**On agenda:** 7/26/2021      **Final action:** 7/28/2021

**Title:** To amend section 2133.02 and to enact new sections 2101.376 and 2101.191 to prohibit the operation of all-purpose vehicles and off-highway motorcycles on any street, highway, or on any public or private property other than streets or highways without due regard or in willful or wanton disregard of the safety of persons or property; and to declare an emergency.

**Sponsors:** Mitchell Brown

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/28/2021	1	CITY CLERK	Attest	
7/27/2021	1	MAYOR	Signed	
7/26/2021	1	Columbus City Council	Approved	Pass
7/26/2021	1	COUNCIL PRESIDENT	Signed	

All-purpose vehicles and off-highway motorcycles have become a nuisance in our communities. They have been disturbing our neighborhoods riding late at night. They have been disrupting traffic and causing a danger to other motorists on the road. Recognizing the importance of safe neighborhoods and safe streets, it is necessary to implement regulations to curtail this activity.

To amend section 2133.02 and to enact new sections 2101.376 and 2101.191 to prohibit the operation of all-purpose vehicles and off-highway motorcycles on any street, highway, or on any public or private property other than streets or highways without due regard or in willful or wanton disregard of the safety of persons or property; and to declare an emergency.

**WHEREAS,** All-purpose vehicles and off-highway motorcycles have become a nuisance in our communities; and

**WHEREAS,** Our neighborhoods have been disturbed at night by all-purpose vehicles and off-highway motorcycles; and

**WHEREAS,** Traffic has been disrupted by all-purpose vehicles and off-highway motorcycles not adhering to traffic laws; and

**WHEREAS,** It is necessary to create safe neighborhoods and safe streets; and

**WHEREAS,** an emergency exists in the usual daily operations of the Department of Public Safety, Division of Police, in that it is necessary for this ordinance to be effective immediately in order to preserve the public peace, property, health, safety, and welfare; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Chapter 2101 is hereby amended by the enactment of new Sections 2101.376 and 2101.191 to read as follows:

**2101.376 - All-purpose vehicle**

“All-purpose vehicle” has the same meaning as in section 4519.01 of the Revised Code.

**2101.191 - Off-highway motorcycle**

“Off-highway motorcycle” has the same meaning as in section 4519.01 of the Revised Code.

**SECTION 2.** That Section 2133.02 is hereby amended to read as follows:

**2133.02 - Reckless operation on streets, public or private property.**

(a) No person shall operate a vehicle on any street, highway, or on any public or private property other than streets or highways without due regard for the safety of persons or property.

(b) No person shall operate a vehicle on any street, highway, or on any public or private property other than streets or highways, in willful or wanton disregard of the safety of persons or property.

(c) No person shall operate an all-purpose vehicle or off-highway motorcycle on any street, highway, or on any public or private property other than streets or highways without due regard for the safety of persons or property.

(d) No person shall operate an all-purpose vehicle or off-highway motorcycle on any street, highway, or on any public or private property other than streets or highways, in willful or wanton disregard of the safety of persons or property.

(e) Except as otherwise provided in this division, whoever violates division (a) of this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) of this section is guilty of a misdemeanor of the third degree. Except as provided in this division, whoever violates division (b) of this section is guilty of a misdemeanor of the third degree. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (b) of this section is guilty of a misdemeanor of the second degree. Whoever violates divisions (c) or (d) of this section is guilty of an unclassified misdemeanor and shall be fined a minimum of five hundred dollars (\$500.00) and not more than one thousand dollars (\$1000.00) and/or jailed for up to but not more than thirty (30) days.

~~(d)~~ (f) This section does not apply to the competitive operation of vehicles or public or private property, other than streets or highways, when the owner of such property knowingly permits such operation thereon.

**SECTION 3.** That existing section 2133.02 is hereby repealed.

**SECTION 4.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force after passage and approval by the Mayor, or 10 days after passage if the Mayor neither vetoes nor approves the same.