

ORDINANCE NO: 13 – 1097

AN ORDINANCE TO AMEND CHAPTER 351.03 OF THE RUSSELLS POINT CODIFIED ORDINANCES TO PERMIT HANDICAPPED PARKING IN CERTAIN AREAS IN THE VILLAGE OF RUSSELLS POINT, OHIO

WHEREAS, the Village of Russells Point has prohibited parking on designated streets in the Village; and

WHEREAS, the codified ordinances of the village do not contain a specific exception for handicapped parking on such streets; and

WHEREAS, this Council believes it is necessary to enact such an exception in the village;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Russells Point, Ohio:

SECTION I: That Chapter 351 of the Village of Russells Point Codified Ordinances in effect before the effective date of this ordinance is hereby amended and shall have the effect of law in the Village of Russells Point.

SECTION II: That Chapter 351.03 of the Village of Russells Point Codified Ordinances be amended and written as follows:

351.03 PROHIBITED STANDING OR PARKING PLACES.

(a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, curb or street lawn area, except a bicycle;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;
- (9) Within fifty feet of the nearest rail of a railroad crossing;
- (10) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy- five feet of the entrance when it is properly posted with signs;

- (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
 - (12) Alongside any vehicle stopped or parked at the edge or curb of a street;
 - (13) Upon any bridge or other elevated structure upon a street, or within a street tunnel;
 - (14) At any place where signs prohibit stopping, standing or parking unless the operator or owner of the vehicle has been issued a permit by the code enforcement officer for handicapped parking where parking has been prohibited, or where the curbing or street is painted yellow, or at any place in excess of the maximum time limited by signs;
 - (15) Within one foot of another parked vehicle;
 - (16) On the roadway portion of a freeway, expressway or thruway.
- (b) Except as otherwise provided in this subsection, whoever violates 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 this section is guilty of a misdemeanor of the third degree.

SECTION III: That the existing Chapter of 351.03 of the Village of Russells Point Codified Ordinances is hereby repealed.

SECTION IV: That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 of the Ohio Revised Code.

SECTION V: That this ordinance shall, therefore, be in force and take effect upon its passage and signature by the Mayor.

Steve Reid
President Pro Tem of Council

Robin Reames
Mayor

Attested: _____
Jeff Weidner
Fiscal Officer

Approved as to Form
Robert N. Eshenbaugh Jr.
Village Solicitor