

ORDINANCE NO.: 2010-01
SPONSOR: Mayor Norton
INTRODUCED: March 9, 2010

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AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO INVESTIGATE, ESTABLISH, AND REGULATE VEHICLE PARKING ON STREETS, ALLEYS, HIGHWAYS, AND PUBLIC PROPERTY WITHIN THE CITY OF GREEN; ESTABLISH FINES FOR VIOLATION OF THE REGULATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, as a result of the Mayor's Strategic Planning Initiative, the Mayor's Public Strategic Planning Committee has recommended the granting of authority to the Director of Public Safety, or his designee, to regulate and/or prohibit parking on streets, alleys, highways, and public property in the City of Green; and

WHEREAS, Revised Code §737.022 permits City Council to authorize, by Ordinance, the Director of Public Safety to make and issue rules and regulations concerning the regulation or prohibition of parking on streets, alleys, highways, and public property; and

WHEREAS, Revised Code §4521.02 permits the City of Green to enact an ordinance or regulation to establish penalties for violation of parking violations which shall not be considered a criminal offense for any purpose or result in arrest; and

WHEREAS, the Director of Public Safety has deemed it necessary and appropriate to establish no parking areas, where necessary, in the City of Green; and

WHEREAS, the City of Green also desires to comply with all limitations on its authority to establish no parking areas set forth in the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

City Council authorizes the Director of Public Safety to make and issue rules and regulations prohibiting parking on streets, alleys, highways, or public property in the City of Green. City Council further decrees that a violation of any parking regulation established by the Director of Public Safety shall not be considered a criminal offense for any purpose, and that no person who violates a parking violation, shall not be arrested as a result of that violation under any circumstances.

SECTION TWO:

City Council further adopts a schedule of fines for violation of the new parking regulations established by the Director of Public Safety.

- A. Parking violation (not handicap zone or airport) \$5.00
- B. Late fee (if fine not paid within fifteen days) \$10.00

- C. Additional late fee (if fine not paid within thirty (30) days) \$40.00
- D. City Council further authorizes the impoundment or immobilization of vehicles, civil court action and/or a block on the renewal registration of the owner's vehicle for all fines not paid after thirty (30) days.

SECTION THREE:

All fines shall be due and payable to the City of Green's Finance Department at the Central Administration Building.

SECTION FOUR:

Any person who receives a citation for violation of parking regulations established by the Director of Public Safety shall have the right and opportunity to appeal the citation as long as that person submits a written objection to the citation to the Director of Public Safety, or his designee, within ten (10) days of the date of the violation. The Director of Public Safety, or his designee, shall review the objection to determine whether the citation shall be revoked or sustained. The Director of Public Safety's ruling on such issues shall be a final and conclusive determination.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

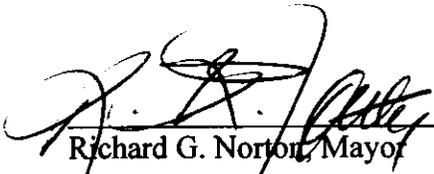
Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: April 13, 2010

Molly Stevens
Molly Stevens, Clerk

Bruce Manwaring
Bruce Manwaring, Council President

APPROVED: April 13, 2010


Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: April 13, 2010

ON ROLL CALL: Colopy yea DeVitis yea France yea Manwaring yea
Reed yea Summerville yea Smole yea Adopted 70

Suburbanite publication on April 18 and April 25, 2010


Molly Stevens, Clerk

3/3/2010 11:27 AM Approved as to form and content by Stephen J. Pruneski, Law Director SP 3/3/10