

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11450-2024

INTRODUCED BY: COUNCILMAN DUFOUR

P/C 11-19-24 Legislative
CA 12-10-24
1st R 12-17-24
2nd R 1-7-25
3rd R 1-21-25
B/C _____

AN ORDINANCE
AMENDING SECTION 351.03
OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'PROHIBITED STANDING OR PARKING PLACES,'
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 351.03 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 2570-1966, passed January 31, 1966, and amended by Ord. 9826-2013, passed April 2, 2013 and reading 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 comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk or tree lawn, except a bicycle;
 - (2) In front of a public or private driveway;
 - (3) Within an intersection;
 - (4) Within 10 feet of a fire hydrant;
 - (5) On a crosswalk;
 - (6) Within 20 feet of a crosswalk at an intersection;
 - (7) Within 30 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 within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic-control device;
 - (9) Within 50 feet of the nearest rail or railroad crossing;
- Within 20 feet of a driveway entrance to any fire station



- (10) and, on the side of the street opposite the entrance to any fire station, within 75 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 elevated structure upon a highway, or within a highway tunnel;
- (14) At any place where signs prohibit stopping and/or parking;
- (15) Within one foot of another parked vehicle;
- (16) On the roadway portion of a freeway, expressway, or thruway.
- (17) In any private driveway. Alleyway or areaway between buildings, when in the opinion of the Fire Chief, such parking constitutes a fire hazard or an obstruction or interference with the operation of fire equipment.
- (18) In any parking area reserved for handicapped persons.

(b) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of R.C. § 4511.711, or any substantially equivalent municipal ordinance.

(c) Except as otherwise provided in this division, 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.

Is hereby amended to read:

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 comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk or tree lawn, ~~except a bicycle,~~ **except as provided in division (b) of this section;**
 - (2) In front of a public or private driveway;
 - (3) Within an intersection;
 - (4) Within 10 feet of a fire hydrant;
 - (5) On a crosswalk;
 - (6) Within 20 feet of a crosswalk at an intersection;
 - (7) Within 30 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 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic-control device;
 - (9) Within 50 feet of the nearest rail of a railroad crossing;
 - (10) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 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 elevated structure upon a highway, or within a highway tunnel;

(14) At any place where signs prohibit stopping and/or parking, **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.

(17) In any private driveway, alleyway or areaway between buildings, when in the opinion of the Fire Chief, such parking constitutes a fire hazard or an obstruction or interference with the operation of fire equipment.

(18) In any **individual parking space designated for handicapped parking unless the vehicle bears a valid parking permit for handicapped persons and is being driven by or used at the time for transportation of handicapped person.**

(b) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of R.C. § 4511.711, or any substantially equivalent municipal ordinance.

(c) Except as otherwise provided in this division, 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

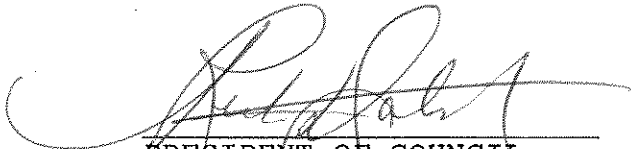
violates this section is guilty of a misdemeanor of the third degree.

SECTION 2: Former Section 351.03 of the Brook Park Codified Ordinances as enacted by Ordinance 2570-1966, passed January 31, 1966 and amended by Ord. No. 9826-2013, passed April 2, 2013 is hereby expressly repealed.

SECTION 3: 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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 351.03 the Brook Park Codified Ordinances; therefore, provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: January 21, 2025


PRESIDENT OF COUNCIL

ATTEST: Carol Johnson
Clerk of Council

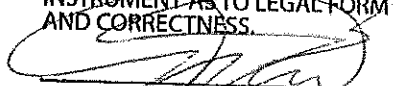
APPROVED: Ed M. Smith
MAYOR

1-23-25
DATE

CERTIFICATE
Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance / Resolution No. 11450-2024 passed on the 21 day of January 20 25 by said council.

Carol Johnson
Clerk of Council

	Yes	May
Troyer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
McCorkle	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dufour	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.

DIRECTOR OF LAW