

# RECORD OF ORDINANCES

## VILLAGE OF MCCONNELSVILLE

Ordinance No. 17-18 Passed the 7<sup>th</sup> day of November 2017

### **AN ORDINANCE AMENDING ORDINANCE 16-20 ESTABLISHING PARKING REGULATIONS AND PROVIDING AN EXEMPTION FOR DISABLED VETERANS**

**WHEREAS**, the Council previously passed Ordinance 16-20 which established parking regulations for the Village; and

**WHEREAS**, Ohio Revised Code Chapter 4521 authorizes the Village to establish non-criminal traffic violations; and

**WHEREAS**, the Village, by and through it's Council, desires to show appreciation for our disabled veterans; and

**WHEREAS**, the Village has determined that no fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran and bearing distinctive plates;

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of McConnelville, County of Morgan, and State of Ohio as follows:

1. **Parking Meter Locations:** Parking meters shall be installed:
  - a. On Main Street from Fifth Street to Eighth Street;
  - b. On Kennebec Avenue from Union Avenue to Liberty Avenue; AND
  - c. On Seventh Street from Liberty Avenue to Union Avenue.
  
2. **Handicap Parking Locations:** Handicap parking spaces shall be located:
  - a. On the Northeast corner of the Town Square in front of the Courthouse; AND
  - b. On the Southwest corner of the Town Square; AND
  - c. On the East side of Kennebec Avenue just North of Liberty Avenue
  
3. **Law Enforcement Parking Locations:** Law enforcement only parking spaces shall be located as follows:
  - a. Two spaces on the North side of Main Street just East of Kennebec Avenue in front of the Morgan County Sheriff's Office; AND
  - b. One space on the West side of Kennebec Avenue just North of Main Street near the Village offices.
  
4. **Meter Pricing:** Each Vehicle parking at a meter location during metering hours, shall be charged forty cents (\$.40) for two hours; twenty cents (\$.20) for one hour; and ten cents (\$.10) for one-half hour. Ten cents (\$.10) is the minimum amount of money that can be used to gain time on an expired meter. After the initial ten cents (\$.10) time will be allotted as follows: Each additional five cents (.05) will give an additional 15 minutes of metered time. A quarter will give 1 hr and 15 minutes of metered time.
  
5. **Disabled Veteran Exemption:** A vehicle that displays the disabled veteran license plate authorized by the Ohio Bureau of Motor Vehicles, or any similar plate issued by another state, is exempt from the payment of a parking fee at any Village meter, provided both of the following:

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- a. The vehicle is being operated by, or for the transportation of, the person who registered the vehicle; and
- b. The disabled veteran is shopping or otherwise conducting business at any commercially-owned establishment in the Village (i.e., no long-term or overnight parking shall be permitted).

This section does not permit a vehicle to be parked at a time when, or at a place where, parking is prohibited.

6. **Metering Hours:** Vehicles parked at meter locations shall be charged the metering fee between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday, except all legal holidays. Parking at meter locations at all other times shall be free.
7. **Two Hour Rule:** No vehicle shall be parked at a meter location during metering hours for more than two (2) hours, notwithstanding the fact that all metering charges have been paid in full.
8. **Prohibitions:** It shall be unlawful:
  - a. **Meter.** To park at a meter location during metering hours and not to pay the metering fee or to remain parked at a meter location after the metering time paid for has expired; AND
  - b. **Handicap.** To park a vehicle in a designated handicap parking location without the vehicle being equipped with a handicapped license plate or an officially recognized handicap sticker; AND
  - c. **Two Hour Rule.** To park at a meter location during metering hours in excess of two (2) hours after previously being ticketed for expired meter.
  - d. **Parking Perpendicular.** To park within a parking space with the vehicle being perpendicular to the parking space.
  - e. **Law Enforcement.** To park a non-law enforcement vehicle in a designated law enforcement parking only location.
  - f. **Alleys.** To park in an alley, except while actually loading and unloading, and then only for a period not to exceed thirty (30) minutes.
9. **Penalties:** Violations of this parking Ordinance shall be penalized as follows:
  - a. **Meter.** A violation of section 8a of this Ordinance shall result in fine of five dollars (\$5.00).
  - b. **Handicap.** A violation of section 8b of this Ordinance shall result in a fine of not less than two hundred fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00).
  - c. **Two Hour Rule.** A violation of section 8c of this Ordinance shall result in a fine of ten dollars (10.00).
  - d. **Parking Perpendicular.** A violation of section 8d shall result in a twenty five (\$25.00) fine.
  - e. **Law Enforcement.** A violation of section 8e of this Ordinance shall result in a fine of fifty dollars (\$50.00).
  - f. **Alleys.** A violation of section 8f of this Ordinance shall result in a fine of fifty dollars (\$50.00).

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If these penalties are not paid before the 14th of the following month, additional penalties and court cost will be added.

10. **Towing Option:** In addition to the penalties set forth in section 8 of this Ordinance whenever a Police Officer finds a vehicle parked in violation of any of the provisions of section 6 the Officer may move or cause the vehicle to be moved by towing it to a nearby garage or other place of safety.
  11. **Non-criminal Nature:** No violation of this Ordinance shall be considered a criminal offense; therefore, no person who commits a violation of this Ordinance may be arrested for violating the Ordinance.
  12. **Procedure:** All tickets issued pursuant to this Ordinance and all hearings on tickets issued pursuant to this Ordinance shall follow the rules and procedures set forth in Ohio Revised Code Chapter 4521.
  13. **Adoption of Parking Ticket:** The parking tickets attached hereto as Exhibits A and B are adopted as the parking tickets to be used by Parking Enforcement Officers and Law Enforcement Officers when enforcing these regulations. It also shall be permissible for law enforcement to utilize the Ohio Uniform Traffic Ticket described in Traffic Rule 3(A) and (B).
  14. **Establishment of Parking Enforcement Unit:** Pursuant to Ohio Revised Code Section 737.16(B) (1) there is hereby established a Parking Enforcement Unit within the Police Department. The Chief of Police shall be the executive head of the Parking Enforcement Unit, shall make all appointments and removals, and shall prescribe rules for the organization, training, administration, control, and conduct of the Parking Enforcement Unit.
  15. **Authority of Parking Enforcement Officers:** Pursuant to Ohio Revised Code Section 737.16(B) (2) the authority of Parking Enforcement Officers shall be limited to the enforcement of Ordinances and laws regulating parking in fire lanes, handicapped parking locations, and all other locations as set forth in this Ordinance.
  16. **Interpretation:** Notwithstanding any language contained within this Ordinance, this Ordinance shall not be interpreted to overrule, repeal, or make unenforceable any parking regulation set forth in the Revised Code or the Ohio Basic Code.
  17. **Legal Requirements:** That is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of the 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.
- That this Ordinance shall take effect and be in force at the earliest period allowed by law.
18. **Repeal of Previous Ordinances:** Ordinance number 16-20 is hereby repealed.

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Ordinance No. 17-18 Passed the 7<sup>th</sup> day of November 2017

First Reading: November 7, 2017

Second Reading: Waived

Third Reading: Waived

Passed this 7<sup>th</sup> day of November, 2017.

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John W. Finley  
Mayor

Attest:

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Ellen M. Hemry  
Fiscal Officer