

PROPOSED AMENDED ORDINANCE NO. 27 - 23

By: Lori Ann Feibel

An Ordinance to amend Section 452.06, "Unattended Vehicles; duty to lock ignition, remove key, set brake, etc." in order to modernize provisions of this section and to expand restrictions on idling for the protection of both the health of citizens and the environment.

Deleted: , and to add Section 618.25 Animals in Unattended Motor Vehicles, in order to protect the health and welfare of animals in unattended vehicles.

WHEREAS, The good health and safety of the Bexley community is a preeminent priority in the city of Bexley; and

WHEREAS, Idling tailpipes spew out the same pollutants as moving cars. These pollutants have not only been linked to serious human illnesses including asthma, heart disease, chronic bronchitis, and cancer, but also contribute to ozone, regional haze, and global climate change; and

WHEREAS, An idling engine is not operating at its optimum temperature, which means fuel combustion is incomplete. Idling leaves fuel residues that can condense on cylinder walls, where they contaminate oil and damage engine components such as spark plugs, increasing fuel consumption by 4 to 5 percent¹; and

WHEREAS, The City of Bexley continuously strives to do its part to reduce our community's carbon footprint.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Section 452.06 be amended to read as follows:

- (a) **Definitions.** For purposes of this ordinance:
- (1) **Idling is defined as leaving a vehicle's engine running while the vehicle is parked and outside of any lane of traffic.**
 - (2) **Public Service Vehicle is defined as any vehicle operated by the City of Bexley or the Bexley City School District.**
- (b) **Unattended Vehicles Generally.** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first ~~stopping the engine,~~ locking the ignition, removing the key from the ignition, effectively setting the parking brake, and, when the motor vehicle is standing upon any grade, turning the front wheels to the curb or side of the highway.

¹ <https://climatechangeconnection.org/solutions/transportation/idling/problems-caused-by-idling/>

The requirements of this section relating to the stopping of the engine, locking of the ignition and removing the key from the ignition of a motor vehicle do not apply to any of the following:

- ~~(1) A motor vehicle that is parked on residential property;~~
- ~~(2) A motor vehicle that is locked and parked, regardless of where it is parked;~~
- ~~(3) An emergency vehicle or public safety vehicle~~

(c) **Idling, Unattended Vehicles.** No person shall allow the engine of an unattended motor vehicle to idle except under the following circumstances:

- (1) When the vehicle is parked on residential property, and for no more than 10 minutes in any 60 minute period.
- (2) When the vehicle is locked and parked and being heated in order to facilitate the removal of ice, snow, or sleet accumulation, and for no more than 10 minutes in any 60 minute period.

(d) **Idling in Participating School Zones.**

The [superintendent or principal](#) may opt to prohibit idling within the School Zone [of that school](#). In a participating School Zone and in areas where signage is prominently placed prohibiting idling and referencing this code section, no person shall allow the engine of a motor vehicle to idle unless it is for a reason related to the health or welfare of a human being. This subsection does not apply to an emergency vehicle or public safety vehicle.

(e) **Idling in Public Parks and on City of Bexley Property.**

Within City owned [parks](#) [or](#) on City owned property, no person shall allow the engine of a motor vehicle to idle unless it is for a reason related to the health or welfare of a human being.

(f) **Exclusions for Emergency, Public Safety, and Public Service Vehicles.** This section does not apply to an emergency vehicle [\(as defined by Ohio Revised Code Section 4511.01\)](#), public safety vehicle [\(as defined by Ohio Revised Code Section 4511.01\)](#), or [Public Service Vehicle](#), in instances where the vehicle is being operated in a manner that is necessary for the provision of services.

Deleted: Section 2.

That Section 618.25 be created to read as follows:

¶

618.25 Animals in Unattended Motor Vehicles

¶

No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.

Section 2.

That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Deleted: 3

Passed _____, 2023

Troy Markham, President of Council

Attest:

Matt McPeck, Clerk of Council

Approved: _____, 2023

Benjamin Kessler, Mayor