

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, and to appropriate \$5,000 from the General Fund in order to provide for communication and signage around idling.

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 section:

- (1) Educational Institution is defined as an Elementary School, Middle School, Secondary School, or University.**
- (2) Idling is defined as leaving a vehicle’s engine running while the vehicle is parked and outside of any lane of traffic.**
- (3) Public Service Vehicle is defined as any vehicle operated by or on behalf of the City of Bexley, Bexley City School District, The Columbus School for Girls, St. Charles Preparatory Academy, or Capital University.**

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

- (4) **Unnecessary Idling** is defined as leaving a vehicle's engine running while the vehicle is parked and outside of any lane of traffic and not while any one or more of the following apply:
- (i) The vehicle is a delivery or service vehicle in which the running of the engine is necessary for the operation of that vehicle or the service that vehicle is providing.
 - (ii) The engine is running in order to acclimatize the vehicle and assist with the removal of snow or frozen precipitation or to otherwise defrost the vehicle while preparing it for departure.
 - (iii) The vehicle is otherwise disabled and the engine is running to provide for the safety of passengers while awaiting mechanical service or alternative transportation.
 - (iv) The vehicle is 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.

- (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.

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, **unless otherwise prohibited by 452.06(c);**
- (3) An emergency vehicle or public safety vehicle

- (c) **Prohibitions Against Unnecessary Idling.**

- (1) **No person driving or in charge of a motor vehicle shall permit it to Unnecessarily Idle in the following areas:**
- (i) **Within City owned parks or within City owned parking lots in instances where signage has been provided in the parking area or at the entrance to the parking area prohibiting Unnecessary Idling and referencing this code section.**
 - (ii) **Within the grounds of an Educational Institution or on public streets within a School Zone in instances where that Institution has caused signage to be adequately placed prohibiting Unnecessary Idling and referencing this code section.**

- (2) Enforcement of this subsection shall not occur unless the person driving or in charge of a motor vehicle has first been verbally asked by a law enforcement officer to discontinue Unnecessary Idling, and has purposefully failed to do so.

Section 2.

That \$5,000 is hereby encumbered from the General Fund into Account 380-51380, Signs and Marks, for the purpose of providing for a communications and signage plan in order to educate and raise awareness around the detrimental impacts of idling to human and environmental health.

Section 3.

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

Passed _____, 2023

Troy Markham, President of Council

Attest:

Matt McPeck, Clerk of Council

Approved: _____, 2023

Benjamin Kessler, Mayor