

ORDINANCE NO. 32 -95

BY: Mark R. Masser

An Ordinance to designate portions of South Cassingham Road, Euclaire Avenue and Mound Street as a residential permit parking zone, to establish basic rules and regulations for residential permit parking, to set an expiration date of the ordinance and to declare an emergency.

WHEREAS, residents of the designated area cannot obtain adequate curbside parking adjacent or near their residences because of widespread use of available curbside parking spaces by non-resident motorists, and

WHEREAS, many properties in the designated area do not have driveways and require curbside parking for residents and their guests and invitees, and

WHEREAS, motor vehicles registered to persons resident in the residential area cannot be accommodated by the number of available off-street parking spaces, and

WHEREAS, this ordinance is in the best interest of the City of Bexley and its residents as it will reduce noise, pollution, hazardous conditions and deterioration of the residential environment as a result of traffic congestion and insufficient parking in the area.

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

Section 1. That Chapter 406 of the City of Bexley Traffic Code is hereby amended by the addition of Section 406.17 to read as follows:

406.17 RESIDENTIAL PERMIT PARKING ZONE.

- (A) THE FOLLOWING STREETS ARE HEREBY DESIGNATED A RESIDENTIAL PARKING ZONE: SOUTH CASSINGHAM ROAD BETWEEN MAIN STREET AND ASTOR AVENUE, EUCLAIRE AVENUE BETWEEN MAIN STREET AND ASTOR AVENUE, AND MOUND STREET BETWEEN MONTROSE AVENUE AND EUCLAIRE AVENUE, AND ASTOR AVENUE BETWEEN EUCLAIRE AND THE ALLEY WEST OF AND RUNNING PARALLEL TO EUCLAIRE AVENUE.
- (B) PARKING OF ANY MOTOR VEHICLE IS PROHIBITED DURING TIME PERIODS DESIGNATED BY THE MAYOR ON A PUBLIC STREET WITHIN THE RESIDENTIAL PERMIT PARKING ZONE UNLESS SUCH MOTOR VEHICLE DISPLAYS A VALID PERMIT ISSUED BY THE CITY.
- (C) LEGAL RESIDENTS WITHIN THE RESIDENTIAL PERMIT PARKING ZONE MAY OBTAIN PERMITS FROM THE MAYOR TO PARK THEIR MOTOR VEHICLES, AND FOR THEIR GUESTS AND INVITEES TO PARK THEIR MOTOR VEHICLES, ON STREETS WITHIN THAT RESIDENTIAL PERMIT PARKING ZONE. THE MAYOR IS AUTHORIZED TO ISSUE RULES AND REGULATIONS GOVERNING THE MANNER IN WHICH PERSONS SHALL QUALIFY FOR, RECEIVE AND USE PARKING PERMITS.
- (D) THE MAYOR SHALL CAUSE APPROPRIATE SIGNS TO BE ERECTED TO EFFECTUATE THIS ORDINANCE.

- (E) PERMITS SHALL BE DISPLAYED ON MOTOR VEHICLES IN A MANNER DETERMINED BY THE MAYOR.
- (F) A PERMIT SHALL NOT GUARANTEE OR RESERVE THE HOLDER AN ON-STREET PARKING SPACE WITHIN THE ZONE OR EXEMPT THE PERMIT-HOLDER FOR PARKING RESTRICTIONS OR PROHIBITIONS ESTABLISHED PURSUANT TO AUTHORITY OTHER THAN THIS SECTION.
- (G) THE FOLLOWING ACTS ARE UNLAWFUL AND IN VIOLATION OF THIS SECTION:
 - (a) STANDING OR PARKING A MOTOR VEHICLE DURING TIME PERIODS DESIGNATED BY THE MAYOR ON ANY STREET WITHIN THE RESIDENTIAL PERMIT PARKING ZONE WITHOUT PROPERLY DISPLAYING A VALID PERMIT ISSUED BY THE CITY;
 - (b) PROVIDING FALSE INFORMATION TO THE CITY WITH THE PURPOSE OF OBTAINING A PARKING PERMIT;
 - (c) ALLOWING THE USE OR DISPLAY OF A PARKING PERMIT ON A MOTOR VEHICLE OTHER THAN THAT FOR WHICH THE PERMIT WAS ISSUED;
 - (d) COPYING, PRODUCING, OR OTHERWISE BRINGING INTO EXISTENCE A FACSIMILE OR COUNTERFEIT PARKING PERMIT WITHOUT WRITTEN AUTHORIZATION OF THE CITY;
 - (e) USING OR DISPLAYING A FACSIMILE OR COUNTERFEIT PARKING PERMIT WITHOUT WRITTEN AUTHORIZATION OF THE CITY; OR
 - (f) DISPLAYING OR FAILING TO SURRENDER A PARKING PERMIT REVOKED BY THE MAYOR.
- (H) ANY MOTOR VEHICLE PARKED UPON A PUBLIC STREET IN VIOLATION OF THIS SECTION IS HEREBY DECLARED TO BE A PUBLIC NUISANCE.
- (I) THE MAYOR IS AUTHORIZED TO REVOKE THE RESIDENTIAL PARKING PERMIT OF ANY PERSON FOUND TO BE IN VIOLATION OF THIS SECTION.
- (J) A VIOLATION OF ANY PROVISION OF THIS SECTION IS A MISDEMEANOR OF THE FOURTH DEGREE. ANY MOTOR VEHICLE PARKED IN VIOLATION OF THIS SECTION IS IMMEDIATELY SUBJECT TO TOWING AT THE DIRECTION OF THE POLICE DEPARTMENT. VEHICLE OWNERS SHALL PAY TOWING AND STORAGE CHARGES PRIOR TO THE RELEASE OF THE MOTOR VEHICLE.
- (K) THE PROVISIONS OF THIS SECTION ARE SEVERABLE AND IF ANY PROVISION, CLAUSE, SENTENCE, SUBSECTION, SECTION, WORD OR PART THEREOF IS HELD ILLEGAL, INVALID OR UNCONSTITUTIONAL, OR INAPPLICABLE TO ANY PERSON OR CIRCUMSTANCE, SUCH ILLEGALITY, INVALIDITY, UNCONSTITUTIONALITY OR INAPPLICABILITY SHALL NOT AFFECT OR IMPAIR ANY OF THE REMAINING PROVISIONS, CLAUSES, SENTENCES, SUBSECTIONS, SECTIONS, WORDS OR PARTS OF THE SECTION OR THEIR APPLICATION TO OTHER PERSONS OR CIRCUMSTANCES. IT IS HEREBY DECLARED TO BE THE LEGISLATIVE INTENT THAT THIS SECTION WOULD HAVE BEEN ADOPTED IF SUCH ILLEGAL, INVALID OR UNCONSTITUTIONAL PROVISION, CLAUSE,

SENTENCE, SUBSECTION, SECTION, WORD OR PART HAD NOT BEEN INCLUDED THEREIN, OR IF SUCH PERSON OR CIRCUMSTANCE TO WHICH THE SECTION OR PART THEREOF IS HELD INAPPLICABLE HAD BEEN SPECIFICALLY EXEMPTED THEREFROM.

(L) THIS SECTION SHALL AUTOMATICALLY EXPIRE AT MIDNIGHT ON MAY 31, 1996, UNLESS EXTENDED BY A VOTE OF BEXLEY CITY COUNCIL.

Section 2. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to reduce noise, pollution, hazardous conditions and deterioration in the designated residential zone, and shall go into effect immediately upon its passage and approval by the Mayor.

Passed: 6/27, 1995

John M. Brennan
President of Council

Attest: J. W. Abney
Clerk of Council

Approved: 6/27, 1995

John T. Loehnert
John T. Loehnert, Mayor

June 27, 1995 - 1st reading
- Susp. + Adopted