

ORDINANCE NO. 04-96

By: John H. Offenberg

An Ordinance to amend Section 406.17 of the Bexley Traffic Code to designate Francis Avenue as a residential permit parking zone, to set an expiration date for such designation and to declare an emergency.

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

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

406.17 Residential Permit Parking Zone.

- (A) Each of the following streets, or portions thereof, is hereby designated a residential parking zone: South Cassingham Road between Main Street and Livingston Avenue, Euclaire Avenue between Main Street and Livingston Avenue, Mound Street between South Cassingham Road and Euclaire Avenue, and Francis 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} driving 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) The designation of Francis Avenue as a residential permit parking zone shall automatically expire at midnight on June 30, 1997, unless extended by a vote of Bexley City Council.

Section 2. That Section 406.17 as presently in effect is hereby repealed.

Section 3. 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: October 8, 1996

[Signature]
President of Council

Attest: [Signature]
Clerk of Council

Approved: 10/8, 1996

[Signature]
David H. Madison, Mayor

Sept. 10, 1996 1st Reading
Sept. 24, 1996 2nd Reading