

**ORDINANCE 2021-16**  
**BY**  
**MAYOR RAYMOND ARRIOLA**

**AN ORDINANCE ADDING §73.15 TO CHAPTER 73: PARKING IN THE CODE OF ORDINANCES OF THE MUNICIPALITY OF NEW LEBANON.**

**WHEREAS, §73.15** is not included in the Code of Ordinances of the Municipality of New Lebanon, and;

**WHEREAS,** the addition to the code is being added for management of vehicles parked on streets during periods of emergency and to help maintain the public safety of the Village, and;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Municipality of New Lebanon, Ohio, that **§73.15 IS HEREBY ADDED TO READ**

**§ 73.15 Removal of Vehicles from Streets during Periods of Emergency**

Whenever, in the opinion of the Director of Public Safety/Municipal Manager in coordination with the Service Department, Police, and Fire, there is an actual or threatened local emergency, such as a riot, fire, flood, excessive snowfall, other Acts of God, common disaster or acts of the enemy, the Director of Public Safety/Municipal Manager may require the removal of motor vehicles parked upon the affected street(s) of the Village.

- (A) The Director of Public Safety/Municipal Manager in coordination with the Service Department, Police, and Fire shall have the authority to declare a snow emergency in the village, with prior notification.
- (B) Snowfall in excess of three (3) inches in a twenty-four (24) hour period is considered excessive.
- (C) Vehicles shall be removed from all streets for at least twenty-four (24) hours after a snow emergency is declared.
- (D) Notification to the public of a snow emergency may be made by news release to television, radio, newspaper, or other acceptable mass media method.
- (E) After the issuance of a snow emergency news release, an updated news release will be issued to advise the public if the emergency is to be continued or discontinued.
- (F) No owner of any vehicle shall at any time during and within twenty-four hours following a heavy snow, permit such vehicle to be parked upon any of the streets or parts thereof within the Municipality or in any way cause or permit the vehicle to interfere with the snow removal operations of the Municipality or the State Department of Transportation.
- (G) "Heavy snow" means a snowfall having an average depth of three inches or more; however, if, in connection with any snowfall, snowdrifts are formed which create a serious obstruction to the movement of motor vehicles, this condition shall be considered the same as "heavy snow."

(H) Except as otherwise provided in this division whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(I) Any vehicle so parked which interferes with snow removal operations or violates the provision of this ordinance may be impounded by any police officer and ordered towed to a place of storage at the owner's expense. Any person desiring to redeem such impounded vehicle may be required to first pay all expenses and storage charges before obtaining possession of the vehicle.

**SECTION 1:** This ordinance shall take effect and be in force from and after the earliest period by law.

Passed this 21st day of December, 2021.

First Reading: November 16, 2021

Second Reading: December 7, 2021


Third Reading: December 21, 2021

Effective Date: January 10, 2022

APPROVED:

  
Raymond Arriola  
Mayor

ATTEST:

  
Sandra F. Wright  
Clerk of Council

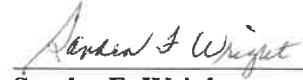
APPROVED:

  
Glenna A. Madden  
Municipal Manager

Dated: December 21, 2021

## CERTIFICATE

I, Sandra F. Wright, Clerk of Council of the Municipality of New Lebanon, Ohio do hereby certify the foregoing is a true and correct copy of Ordinance 2021-16 as passed by Council and approved by the Mayor and that the same has been published as required by Section 2.17 of the Charter of the Municipality of New Lebanon, Ohio.

  
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Sandra F. Wright  
Clerk of Council