

## **PARKING GENERALLY**

### **§ 73.01 POLICE MAY REMOVE ILLEGALLY PARKED VEHICLE.**

Whenever any police officer finds a vehicle unattended on any highway, bridge, or causeway, or in any tunnel, where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest garage or other place of safety.

(R.C. § 4511.67) ('80 Code, § 73.01)

### **§ 73.02 REGISTERED OWNER PRIMA-FACIE LIABLE FOR UNLAWFUL PARKING.**

In any hearing on a charge of illegally parking a motor vehicle, testimony that a vehicle bearing a certain license plate was found unlawfully parked as prohibited by the provisions of this Title, and further testimony that the record of the Registrar of Motor Vehicles show that the license plate was issued to the defendant, shall be prima-facie evidence that the vehicle which was unlawfully parked, was so parked by the defendant. A certified registration copy from the Registrar showing the fact shall be proof of ownership.

('80 Code, § 73.02)

### **§ 73.03 PROHIBITED STANDING OR PARKING PLACES.**

No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (A) On a sidewalk, curb, or street lawn area between a curb and right-of-way line;
- (B) Over a curb, between the outside edge of a shoulder and the sidewalk, between the outside edge of a roadway that has no shoulder and the sidewalk;
- (C) In front of a public or private driveway. In front of shall include the area within five feet of the driveway width projected to the curb line or roadway edge, or the point along the curb or roadway edge where the driveway intersects, whichever is greater;
- (D) Within an intersection;
- (E) Within ten feet of a fire hydrant;
- (F) On a crosswalk;
- (G) Within 20 feet of a crosswalk at an intersection, or, if there is no crosswalk, within 20 feet of an intersection;
- (H) Within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic-control device;
- (I) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic-control device;
- (J) Within 50 feet of the nearest rail of a railroad crossing;
- (K) Within 20 feet of a driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station, within 75 feet of the entrance when it is properly posted with signs;
- (L) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (M) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (N) On any bridge or other elevated structure on a highway, or within a highway tunnel;
- (O) At any place where signs prohibit stopping, standing, or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs;
- (P) Within one foot of another parked vehicle;
- (Q) On the roadway portion of a freeway, expressway, or thruway;
- (R) In any fire lane when so marked as such;
- (S) Upon a street or alley 23 feet or less;
- (T) Upon any traffic control island or median that separates traffic on a street;
- (U) Within ten feet of the junction of an alley and a street; or
- (V) At any place in time of public necessity for periods not to exceed 72 hours, where signs prohibiting parking have been erected by order of the Chief of Police.

('80 Code, § 73.03) (Am. Ord. 86-10, passed 4-15-86; Am. Ord. 2021- 12, passed 12-7-21) Penalty, see § 70.99

#### § 73.04 PARKING NEAR CURB; PRIVILEGES FOR HANDICAPPED.

(A) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with and not more than 12 inches from the right-hand curb, unless it is impossible to approach so close to the curb; in such case the stop shall be made as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise. Local authorities by ordinance may permit angle parking on any roadway under their jurisdiction, except that angle parking shall not be permitted on a state route within the municipality unless an unoccupied roadway width of not less than 25 feet is available for free-moving traffic.

(B) Local authorities by ordinance may permit parking of vehicles with the left-hand wheels adjacent to and within 12 inches of the left-hand curb of a one-way roadway.

(C) (1) (a) Except as provided in division (C)(1)(b) of this section, no vehicle shall be stopped or parked on a road or highway with the vehicle facing in a direction other than the direction of travel on that side of the road or highway.

(b) The operator of a motorcycle may back the motorcycle into an angled parking space so that when the motorcycle is parked it is facing in a direction other than the direction of travel on the side of the road or highway.

(2) The operator of a motorcycle may back the motorcycle into a parking space that is located on the side of, and parallel to, a road or highway. The motorcycle may face any direction when so parked. Not more than two motorcycles at a time shall be parked in a parking space as described in division (C)(2) of this section irrespective of whether or not the space is metered.

(D) Notwithstanding any statute or any rule, regulation, resolution, or ordinance, air compressors, tractors, trucks, and other equipment, while being used in the construction, reconstruction, installation, repair, or removal of facilities near, on, over, or under a street or highway, may stop, stand, or park where necessary in order to perform such work, provided a flagperson is on duty or warning signs or lights are displayed as may be prescribed by the Director of Transportation.

(E) Accessible parking locations and privileges for persons with disabilities that limit or impair the ability to walk shall be provided and designated by all political subdivisions and by the state and all agencies and instrumentalities thereof at all offices and facilities where parking is provided, whether owned, rented, or leased, and at all publicly owned parking garages. The locations shall be designated through the posting of an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators, and ramps. All elevated signs posted in accordance with this division and R.C. § 3781.111(C) shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating an accessible parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the designated accessible parking location if the motor vehicle is not legally entitled to be parked in that location.

(F) (1) (a) No person shall stop, stand, or park any motor vehicle at accessible parking locations provided under division (E) of this section, or at accessible clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with that division, unless one of the following applies:

1. The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or accessible license plates; or

2. The motor vehicle is being operated by or for the transport of a person with a disability and is displaying a parking card or accessible license plates.

(b) Any motor vehicle that is parked in an accessible marked parking location in violation of division (F)(1)(a)1. or (F)(1)(a)2. of this section may be towed or otherwise removed from the parking location by the law enforcement agency of the municipality. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by the municipality for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by the municipality for towing and storing motor vehicles.

(c) If a person is charged with a violation of division (F)(1)(a)1. or (F)(1)(a)2. of this section, it is an affirmative defense to the charge that the person suffered an injury not more than 72 hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in R.C. § 4503.44(A)(1).

(2) No person shall stop, stand, or park any motor vehicle in an area that is commonly known as an access aisle, which area is marked by diagonal stripes and is located immediately adjacent to an accessible parking location provided under division (E) of this section or at an accessible clearly marked parking location provided in or on a privately owned parking lot, parking garage, or other parking area and designated in accordance with that division.

(G) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or accessible license plates, or when a motor vehicle is being operated by or for the transport of a person with a disability and is displaying a parking card or accessible license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner

as to be clearly a traffic hazard.

(H) No owner of an office, facility, or parking garage where accessible parking locations are required to be designated in accordance with division (E) of this section shall fail to properly mark the accessible parking locations in accordance with that division or fail to maintain the markings of the accessible locations, including the erection and maintenance of the fixed or movable signs.

(I) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or accessible license plates if the parking card or accessible license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.

(J) As used in this section:

**ACCESSIBLE LICENSE PLATES** and **REMOVABLE WINDSHIELD PLACARD**. Mean any license plates, standard removable windshield placard, permanent removable windshield placard, or temporary removable windshield placard issued under R.C. § 4503.41 or 4503.44, and also mean any substantially similar license plates or removable windshield placard issued by a state, district, country, or sovereignty.

**PERSON WITH A DISABILITY**. Means any person who has lost the use of one or both legs or one or both arms, who is blind, deaf, or unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other disabling condition.

**PERSON WITH A DISABILITY THAT LIMITS OR IMPAIRS THE ABILITY TO WALK**. Has the same meaning as in R.C. § 4503.44.

(K) *Penalty*.

(1) Whoever violates division (A) or (C) of this section is guilty of a minor misdemeanor.

(2) (a) Whoever violates division (F)(1)(a)1. or (a)2. of this section is guilty of a misdemeanor and shall be punished as provided in division (K)(2)(a) and (b) of this section. Except as otherwise provided in division (K)(2)(a) of this section, an offender who violates division (F)(1)(a)1. or (a)2. of this section shall be fined not less than \$250 nor more than \$500. An offender who violates division (F)(1)(a)1. or (a)2. of this section shall be fined not more than \$100 if the offender, prior to sentencing, proves either of the following to the satisfaction of the court:

1. At the time of the violation of division (F)(1)(a)1. of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a removable windshield placard that then was valid or accessible license plates that then were valid but the offender or the person neglected to display the placard or license plates as described in division (F)(1)(a)1. of this section.

2. At the time of the violation of division (F)(1)(a)2. of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a parking card that then was valid or accessible license plates that then were valid but the offender or the person neglected to display the card or license plates as described in division (F)(1)(a)2. of this section.

(b) In no case shall an offender who violates division (F)(1)(a)1. or (a)2. be sentenced to any term of imprisonment.

(c) An arrest or conviction for a violation of division (F)(1)(a)1. or (a)2. of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

(d) The clerk of the court shall pay every fine collected under divisions (K)(2) and (K)(3) of this section to the municipality. Except as provided in division (K)(2) of this section, the municipality shall use the fine moneys it receives under divisions (K)(2) and (K)(3) of this section to pay the expenses it incurs in complying with the signage and notice requirements contained in division (E) of this section. The municipality may use up to 50% of each fine it receives under divisions (K)(2) and (K)(3) of this section to pay the costs of educational, advocacy, support, and assistive technology programs for persons with disabilities, and for public improvements within the municipality that benefit or assist persons with disabilities, if governmental agencies or nonprofit organizations offer the programs.

(3) Whoever violates division (F)(2) of this section shall be fined not less than \$250 nor more than \$500. In no case shall an offender who violates division (F)(2) of this section be sentenced to any term of imprisonment. An arrest or conviction for a violation of division (F)(2) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

(4) Whoever violates division (H) of this section shall be punished as follows:

(a) Except as otherwise provided in division (K)(4) of this section, the offender shall be issued a warning.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of this section or of a municipal ordinance that is substantially equivalent to that division, the offender shall not be issued a warning but shall be fined not more than \$25 for each parking location that is not properly marked or whose markings are not properly maintained.

(R.C. § 4511.69) Penalty, see § 70.99

**Statutory reference:**

*Buildings, access for disabled persons, see R.C. § 3781.111*

**§ 73.05 MANNER OF ANGLE PARKING.**

On streets where angle parking is permitted, no person shall stop, stand, or park a vehicle other than at the angle to the curb or edge of the roadway as is indicated by appropriate signs or markings.

('80 Code, § 73.05) Penalty, see § 70.99

**§ 73.06 SELLING, WASHING, OR REPAIRING VEHICLE UPON ROADWAY.**

No person shall stop, stand, or park a vehicle upon any roadway for the principal purpose of:

- (A) Displaying the vehicle for sale;
- (B) Washing, greasing, or repairing the vehicle, except repairs necessitated by an emergency.

('80 Code, § 73.06) Penalty, see § 70.99

**§ 73.07 UNATTENDED VEHICLE; DUTY TO STOP ENGINE, REMOVE KEY, SET BRAKE AND TURN WHEELS.**

(A) (1) 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.

(2) 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:

- (a) A motor vehicle that is parked on residential property;
- (b) A motor vehicle that is locked, regardless of where it is parked;
- (c) An emergency vehicle;
- (d) A public safety vehicle.

(B) 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.

(R.C. § 4511.661) ('80 Code, § 73.07) Penalty, see § 70.99

**§ 73.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.**

(A) No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

(B) 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.

(R.C. § 4511.70(C)) ('80 Code, § 73.08) Penalty, see § 70.99

**§ 73.09 TRUCK LOADING ZONES.**

No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a truck loading zone during hours when the provision applicable to the zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

('80 Code, § 73.09) Penalty, see § 70.99

**§ 73.10 BUS STOPS AND TAXICAB STANDS.**

(A) No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any stop or stand has been officially designated and appropriately posted, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when the stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone, and then only for a period not to exceed three minutes, if the stopping is not prohibited therein by posted signs.

(B) The operator of a bus shall not stop, stand, or park the vehicle on any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop so designated and posted as such, except in case of an emergency.

(C) The operator of a bus shall enter a bus stop on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of the vehicle not further than 18 inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(D) The operator of a taxicab shall not stand or park the vehicle on any street at any place other than in a taxicab stand so designated and posted as such. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

('80 Code, § 73.10) Penalty, see § 70.99

### **§ 73.11 PARKING IN ALLEYS AND NARROW STREETS; EXCEPTIONS.**

(A) No person shall stop, stand, or park any vehicle in a street, other than an alley, in a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when directed to by a police officer or traffic-control signal.

(B) Except as otherwise provided by law, no person shall stop, stand, or park a vehicle within an alley except while actually loading and unloading, and then only for a period not to exceed 30 minutes.

('80 Code, § 73.11) Penalty, see § 70.99

### **§ 73.12 PROHIBITION AGAINST PARKING ON STREETS OR HIGHWAYS.**

(A) (1) Upon any highway, no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway if it is practicable to stop, park, or so leave such vehicle off the paved or main traveled part of the highway. In every event a clear and unobstructed portion of the highway opposite such standing vehicle shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(2) This section does not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position.

(B) 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.

(R.C. § 4511.66) ('80 Code, § 73.12) Penalty, see § 70.99

### **§ 73.13 PARKING OF OVERSIZE VEHICLES.**

(A) No person shall stop, park, or leave standing on any street or alley within the municipality for a period of longer than one hour any of the following:

- (1) Motor truck larger than one ton;
- (2) Motor bus;
- (3) Motor truck tractor, semi-truck;
- (4) Semitrailer;
- (5) Trailer, whether or not attached to a motor vehicle;
- (6) Mobile home;
- (7) Motor home;
- (8) Camper;
- (9) Recreational vehicle whose purpose includes the provision of livable space with mobile capacity, whether or not attached to a motor vehicle;
- (10) Truck camper;
- (11) Boat; or
- (12) Boat trailer, whether or not attached to a motor vehicle.

(B) This section shall not apply to trucks and/or trailers used for conveying the necessary tools and materials to premises where labor using the tools and materials is to be performed during the actual time of parking such truck or trailers; nor to motor trucks or buses conveying passengers to any public meeting, assembly, or church convention during the actual time of the public meeting, assembly, or church convention.

('80 Code, § 73.13) (Ord. 79-11, passed 6-19-79; Am. Ord. 2021-13, passed 12-7-21) Penalty, see § 70.99

#### **§ 73.14 PARKING OF UNUSED MOTOR VEHICLES.**

(A) No person who is the owner, agent, operator, or other person in charge of any vehicle shall permit any abandoned motor vehicle to remain upon any street, alley, or public right-of-way when both of the following apply:

(1) The abandoned motor vehicle has been tagged with a violation notice warning of the violation and possible impoundment of the vehicle; and

(2) The abandoned motor vehicle has not been moved at least 75 feet under its own power after the expiration of the 72-hour warning period.

(B) No person shall store, maintain, or park any motor or other vehicle upon the streets, alleys, or public places in the city when such vehicle is either in such mechanical condition that it cannot be operated by the power regularly intended for that purpose or is separated therefrom, or is so placed for the purpose of advertising the same for sale or disposal, or not being in use is so placed as a matter of convenience to the person so doing.

(C) Nothing in this section shall be construed as affecting any other parking regulation now in effect or that may hereafter become effective but shall be construed as an additional parking limitation. The purpose of this section is to prohibit continuous long-time parking and the storage of vehicles on the municipality streets.

(Ord. 2021-14, passed 12-7-21)

#### **§ 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 inches in a 24-hour period is considered excessive.

(C) Vehicles shall be removed from all streets for at least 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 24 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.

(Ord. 2021-16, passed 12-21-21)