

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.

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Codified Ordinances of Sheffield Lake, OH

CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

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Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.

CHAPTER 351 Parking Generally

CHAPTER 351

Parking Generally

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See sectional histories for similar State law

Owner nonliability, lease defense - see Ohio R.C. 4511.071

Police may remove ignition key from unattended vehicle - see TRAF. 303.03

Parking near stopped fire apparatus - see TRAF. 331.27

Lights on parked or stopped vehicles - see TRAF. 337.09

351.01 POLICE MAY REMOVE UNATTENDED VEHICLE WHICH OBSTRUCTS TRAFFIC.

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

(ORC 4511.67)

351.02 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 Traffic Code, and further testimony that the record of the Ohio Registrar of Motor Vehicles shows 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, showing such fact, from the Registrar shall be proof of such ownership.

351.03 PROHIBITED STANDING OR PARKING PLACES.

(a) 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 Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, curb or street lawn area, except a bicycle;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within five feet of any fire hydrant as measured on a line parallel with the centerline of the street, road or way;
- (5) On a crosswalk;
- (6) Within thirty feet of any intersection;
- (7) Within thirty feet of, and upon the approach to, any yield sign, stop sign or highway traffic signal;
- (8) Within fifty feet of the nearest rail of a railroad crossing;
- (9) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy- five feet of the entrance when it is properly posted with signs;
- (10) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (11) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (12) Upon any bridge or other elevated structure upon a street, or within a street tunnel;

(13) At any place where signs prohibit stopping, standing or parking, or where the curbing or street is painted yellow, or at any place in excess of the maximum time limited by signs;

(14) Within one foot of another parked vehicle;

(15) On the roadway portion of a freeway, expressway or thruway.

(Ord. 95-08. Passed 12-30-08.)

(b) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This subsection does not authorize any person to operate a vehicle in violation of Section 331.37, or any substantially equivalent municipal ordinance.

(c) Except as otherwise provided in this subsection, 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.

(ORC 4511.68)

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.

(a) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the curb side wheels of the vehicle parallel with and not more than twelve inches from the curb, unless it is impossible to approach so close to the curb; in such case the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.

(b) (1) This subsection does not apply to streets or parts thereof where angle parking is lawfully permitted. However, no angle parking shall be permitted on a state route unless an unoccupied roadway width of not less than twenty-five feet is available for free-moving traffic.

(2) A. No angled parking space that is located on a state route within a municipal corporation is subject to elimination, irrespective of whether there is or is not at least twenty-five feet of unoccupied roadway width available for free-moving traffic at the location of that angled parking space, unless the municipal corporation approves of the elimination of the angled parking space.

B. Replacement, repainting or any other repair performed by or on behalf of the municipal corporation of the lines that indicate the angled parking space does not constitute an intent by the municipal corporation to eliminate the angled parking space.

(c) (1) A. Except as provided in subsection (c)(1)B. hereof, 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 subsection (c)(2) of this section irrespective of whether or not the space is metered.

(d) Notwithstanding any provision of this Code or any rule, 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, may stop, stand or park where necessary in order to perform such work, provided a flagman is on duty, or warning signs or lights are displayed as may be prescribed by the Ohio 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 Ohio 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 subsection (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 subsections (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 the 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 subsections (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 seventy-two 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 Ohio 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 strips and is located immediately adjacent to an accessible parking location provided under subsection (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 subsection (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:

(1) "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 Ohio R.C. 4503.41 or 4503.44, and also mean any substantially equivalent license plates or removable windshield placard issued by a state, district, country, or sovereignty.

(2) "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.

(3) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in Ohio R.C. 4503.44.

(ORC 4511.69)

351.05 MANNER OF ANGLE PARKING.

Upon 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.

351.06 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 such vehicle for sale;

(b) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

351.07 UNATTENDED VEHICLE: DUTY TO STOP ENGINE, REMOVE KEY, SET BRAKE AND TURN WHEELS.

(a) 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, regardless of where it is parked;

(3) An emergency vehicle;

(4) A public safety vehicle. (ORC 4511.661)

351.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.

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. (ORC 4511.70(C))

351.09 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 provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty minutes.

351.10 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 such 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 such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone, and then only for a period not to exceed three minutes, if such stopping is not prohibited therein by posted signs.

(b) The operator of a bus shall not stop, stand or park such vehicle upon 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 such vehicle not further than eighteen 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 such vehicle upon 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.

351.11 PARKING IN ALLEYS AND NARROW STREETS; EXCEPTIONS.

No person shall stop, stand or park any vehicle upon a street, other than an alley, in such 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.

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 thirty minutes.

351.12 PROHIBITION AGAINST PARKING ON STREETS OR HIGHWAYS.

Upon any street or highway outside a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the street or highway if it is practicable to stop, park or so leave such vehicle off the paved or main traveled part of such street or highway. In every event, a clear and unobstructed portion of the street or 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 street or highway.

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 street or highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position. (ORC 4511.66)

351.13 PARKING ON POSTED PRIVATE PROPERTY.

If an owner of private property posts on the property in a conspicuous manner, prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:

- (a) Park a vehicle on the property without the owner's consent;
- (b) Park a vehicle on the property in violation of any condition or regulation posted by the owner. (ORC 4511.681)

351.14 PARKING ON FIRE HYDRANT SIDE OF STREET.

No person shall park any vehicle on the fire hydrant side of any residential street within the Municipality except Irving Park Boulevard.

(Ord. 84-83. Passed 7-26-83.)

351.15 SNOW EMERGENCY.

(a) It is hereby declared to be necessary and in the best interest of the City to regulate and restrict the parking of vehicles on public streets during snow emergencies.

(b) A snow emergency is hereby declared for a period of time when snow in the amount of two inches or more has fallen on, or is falling on, the City, or whenever such emergency is declared to exist by the Service Director.

(c) A snow emergency shall continue in effect until the Service Director determines that an emergency no longer exists and accordingly terminates such an emergency.

(d) No owner, driver or operator of any vehicle shall park or stop the same, or permit the same to be parked or to stand, at any time during the periods of any snow emergency on any of the streets, avenues, boulevards, parkways or highways in the City.

(e) Any police officer, upon discovering any such vehicle parked or stopped in violation of this section, may remove such vehicle, or cause the same to be removed, to any City owned property, or to a private garage or place authorized to hold and store such automobiles.

(f) A reasonable towing charge may be assessed against the owner, driver or operator of any vehicle removed pursuant to this section.

(g) Signs shall be posted on all roads leading into the City bearing a legend indicating that all streets in the City are snow emergency streets.

(h) Any person charged with a violation of this section may pay the sum of twenty-five dollars (\$25.00) as a fine which fine shall be the minimum fine for such violation. Said twenty-five dollars (\$25.00) may be paid provided said fine is paid within forty-eight hours from the time the violation was issued. In the event said fine is not paid within said forty-eight hour period from the time the violation was issued, then the fine shall be no less than twenty-five dollars (\$25.00) but may be any amount in excess of twenty-five dollars (\$25.00) that may be assessed pursuant to the provisions of Section 351.99(a).

(Ord. 21-00. Passed 3-28-00.)

351.16 FIRE LANES.

(a) The Fire Chief is hereby authorized to establish fire lanes on either public or private property within the Municipality upon finding that the following conditions exist:

(1) That a fire lane is necessary for safeguarding life and property from the hazards of fire and explosion and for the use and occupancy of buildings and structures and adjacent property;

(2) That a fire lane is incidental to a retail, commercial or manufacturing use or other use where it can reasonably be expected that the public will assemble in sufficient numbers so that the presence of the public and their motor vehicles, if not controlled, will interfere with the operation of fire fighting equipment and personnel and the egress of occupants in the case of fire.

(b) Fire lanes shall be of such width as is reasonably determined by the Fire Chief to be necessary to permit access and operation of fire fighting equipment and personnel and the egress of occupants. Fire lanes shall be suitably marked by appropriate markings on the ground or by displaying adequate signs, or both. The markings shall be placed and maintained by the City.

(c) No person shall obstruct a fire lane by parking or leaving standing a motor vehicle, whether such vehicle is attended or unattended, by constructing a fence or other barricade or in any manner whatsoever. A barricade or fence which is readily removable or through which access may be gained by fire fighting equipment and personnel without delay shall not be prohibited by the terms of this section. Any such permitted barricade or fence may not be locked in any manner.

(d) Attended motor vehicles found standing or parked in a fire lane shall be immediately moved upon direction of any member of the Department of Public Safety. Any unattended motor vehicles found standing or parked in a fire lane may be impounded in a manner consistent with Section 303.08.

(e) Obstructions, other than motor vehicles, found in fire lanes shall be removed by the owner, occupant or other person in charge of the premises within three days after written notice to remove such obstructions. Upon failure to comply with such source, the City may cause the obstruction to be removed and the owner, occupant or other person in charge of the premises shall pay the cost of removal.

(f) Whenever the Fire Chief designates a fire lane, written notice thereof shall be given to the owner, occupant or person in charge of the premises. Such designation may be appealed within ten days by filing a written objection to such designation with the Fire Chief. The appeal shall be heard by the members of Council, a majority of whom may affirm, disaffirm or modify the designation. The decision of Council shall be final.

(Ord. 19-64. Passed 3-24-64.)

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- ordinance. (c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor
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- Ord. 84-83
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