

**ORDINANCE NO. 1978-6**

**AN ORDINANCE PROHIBITING ANY VEHICLE PARKING ON ANY STREETS, HIGHWAYS, DRIVES, ROADS AND ANY OTHER THOROUGHFARES IN SUGAR BUSH KNOLLS VILLAGE EXCEPT FOR DISABLED VEHICLES, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED** by the Council of the village of Sugar Bush Knolls, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

**SECTION 1**

That any vehicle is hereby prohibited from parking upon any and all streets, highways, drives, roads and any other thoroughfares, hereafter collectively called “streets,” in the Village as follows:

That no person shall stop, park and leave standing any vehicle, whether attended or unattended, upon the paved, improved or main travelled part of the street when it is practicable to stop, park or leave such vehicle off such part of such street, but in every events a clear and unobstructed portion of the street 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.

This Section 1 (a), shall not apply to a driver or operator of any vehicle which is disabled while on the paved, improved or main travelled portion of the street in such manner and to such extent as it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position, (O.R.C. 4511.66).

**SECTION 2**

That a vehicle illegally parked may be removed as follows:

Whenever any police officer finds a vehicle standing upon a street in violation of Section 1 (a) above, such officer is authorized to move such vehicle or require the driver or any other person in charge of the vehicle to move the same to a position off the paved, improved or main travelled part of the street.

Whenever any police officer finds a vehicle unattended where such vehicle constitutes an obstruction to traffic, such officer is authorized to provide for the removal of such vehicle to the nearest garage or any other place of safety. (O.R.C. 4511.67)

**SECTION 3**

That the registered owner shall be prima-facie [CANNOT READ TEXT HERE] for unlawful parking as follows:

In any hearing on a charge of illegally parking a vehicle, testimony that a vehicle bearing a certain license plate was found unlawfully parked as prohibited by the provisions of this Ordinance, 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.

**SECTION 4**

That the definition of a vehicle for the purpose of this Ordinance shall be as follows:

“Vehicle” means every device in, upon or by which any person or property may be transported or draws upon a street or highway. (O.R.C. 4511.10 (A)).

**SECTION 5**

That whoever is convicted of or pleads guilty to a violation of Section 1 (a) of this Ordinance is guilty of a minor misdemeanor and shall be fined not more than \$100,000.

**SECTION 6**

That the proper authority shall cause “No Parking” signs to be posted on both sides of such streets according to law and otherwise designate with other markings as warnings as being necessary.

**SECTION 7**

That this Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of village citizens for the reason that it is immediately necessary to provide proper “no parking” traffic regulations to prevent property damage and personal injury for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency ordinance and shall take effect and be in force immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_  
Date

\_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor