

Ordinance No. 1-10.19Passed AUGUST 3, 20 10

ORDINANCE NO. 1-10.19, enacting an Ordinance for the Village of Hartville ("Village") to establish an emergency snow parking ban during adverse weather conditions.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HARTVILLE, STARK COUNTY, OHIO:

Section 1. Findings and Determinations. The Village finds and determines the following matters:

- a) It is prudent to have an emergency snow parking ban in order to avoid a potential public hazard impairing normal transportation and/or movement of emergency vehicles by advising of the existence of emergency snow parking regulations.
- b) Accordingly, the Council, acting in the best interest of the Village, hereby enacts Ordinance No. 1-10.19 as set forth in Section 2 below.
- c) All formal actions of this Council relating to the enactment of the Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 2. EMERGENCY SNOW PARKING BAN. The Village hereby enacts an Emergency Snow Parking Ban:

- a) Whenever snow accumulation of two (2) inches or more exists on any street or highway within the Village of Hartville (Village), or is predicted to accumulate to such level by the National Weather Service, a snow emergency is declared to exist. The Street Commissioner or Chief of Police, in consultation with the Mayor, may declare a snow emergency whenever any such official concludes that road conditions are so adverse as to constitute a potential public hazard impairing normal transportation and/or the movement of fire, health, and police vehicles. Such emergency shall continue until plowing operations are completed.
- b) Appropriate signage shall be posted on all major streets and highways leading into the Village and also at various locations throughout the Village advising of the existence of emergency snow parking regulations. In addition, the Village shall advertise and publish this Ordinance on three (3) separate occasions on a yearly basis, between November 1st and March 1st.
- c) Whenever a snow emergency as defined in subsection (a) hereof exists, the Mayor shall request the cooperation of local media to announce the snow emergency and the existence of snow emergency parking regulations as provided for in subsection (d) herein. The failure of the media to announce the existence of the snow emergency shall not be grounds for avoidance of compliance with the snow emergency parking regulations as provided herein.
- d) No person shall park or cause to be parked or permit or suffer to remain parked any vehicle, whether operational or non-operational, upon any Village street during any time or period when a snow emergency is declared to be in effect under subsection (a) hereof; provided, however, that vehicles may be parked for a period not longer than ten (10) minutes for actual loading or unloading of passengers, or thirty (30) minutes for actual loading or unloading of property; provided, further, that no other ordinance or law restricting parking as to place or time is violated thereby.

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- e) The Chief of Police, or any member of the police department, is hereby authorized to provide for the removal of any vehicle parked on any of the streets or highways during a period of snow emergency. Initially, if a vehicle is parked on any Village street or highway during a period of snow emergency, a member of the police department will make a reasonable attempt to contact the owner of such vehicle and request that such vehicle be immediately moved so as to not impede nor interfere with normal street plowing operations. If a reasonable attempt to contact the owner fails, the Village police department shall then have such vehicle removed to a garage or other storage place deemed proper. Any costs incurred in such removal and storage shall be paid by the owner of the vehicle and such costs shall be in addition to any fines or penalties which may be imposed on the owner or operator of such vehicle.

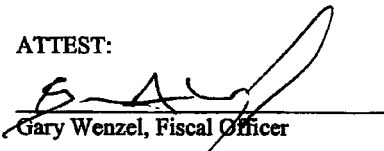
- f) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Section 3. Effective Date. This Ordinance will take effect and be in full force at the earliest time allowed by law.

DATED: August 3, 2010


 Edsel Tucker, Mayor

ATTEST:


 Gary Wenzel, Fiscal Officer

APPROVED AS TO FORM:

 Ronald K. Starkey, Village Solicitor