

ORDINANCE NO. 22-78
INTRODUCED BY: Ms. Maier

Amended by Reading to add:
375.03 a-10 Park Trails and a-11 School Property.

AN ORDINANCE
**AMENDING CODIFIED ORDINANCE SECTION 375.03 REGARDING OPERATION
OF SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES AND ALL PURPOSE
VEHICLES, AND DECLARING AN EMERGENCY.**

WHEREAS, the City desires to provide safe sidewalks for the quiet enjoyment of pedestrians and others; and

WHEREAS, the operation of certain motorized vehicles on the sidewalks creates unsafe conditions; and

WHEREAS, the City desires to restrict the operation of certain motorized vehicles on City sidewalks and tree lawns.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance of the City of Bay Village Section 375.03 which presently reads as follows:

“375.03 - Code application; prohibited operation.

(a) The applicable provisions of this Traffic Code shall be applied to the operation of snowmobiles, off-highway motorcycles, and all purpose vehicles; except that no snowmobile, off-highway motorcycle, or all purpose vehicle shall be operated as follows:

- (1) On any street or highway except for emergency travel only during such time and in such manner as the State or local authority having jurisdiction over such street or highway shall designate, and except as provided in Section 375.04;
- (2) Upon any property owned or leased by the Municipality except in areas designated for such purposes;
- (3) On any private property, or in any nursery or planting area, without the permission of the owner or other person having the right to possession of the property;
- (4) On any land or waters controlled by the State, except at those locations where a sign has been posted permitting such operation;
- (5) On tracks or right-of-way of any operating railroad;
- (6) While transporting any firearm, bow or other implement for hunting, that is not unloaded and securely encased;
- (7) For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl;
- (8) During the time from sunset to sunrise, unless displaying lighted lights as required by Section 375.02.

(b) Whoever violates this section shall be fined not less than \$50.00 nor more than \$500.00, imprisoned not less than three nor more than 30 days, or both.”

(ORC 4519.40)

be and the same is amended to read:

“375.03 - Code application; prohibited operation.

(a) The applicable provisions of this Traffic Code shall be applied to the operation of snowmobiles, off-highway motorcycles, and all purpose vehicles; except that no snowmobile, off-highway motorcycle, or all purpose vehicle shall be operated as follows:

- (1) On any street or highway except for emergency travel only during such time and in such manner as the State or local authority having jurisdiction over such street or highway shall designate, and except as provided in Section 375.04;
- (2) Upon any property owned or leased by the Municipality except in areas designated for such purposes;
- (3) On any private property, or in any nursery or planting area, without the permission of the owner or other person having the right to possession of the property;
- (4) On any land or waters controlled by the State, except at those locations where a sign has been posted permitting such operation;
- (5) On tracks or right-of-way of any operating railroad;
- (6) While transporting any firearm, bow or other implement for hunting, that is not unloaded and securely encased;
- (7) For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl;
- (8) During the time from sunset to sunrise, unless displaying lighted lights as required by Section 375.02.

(9) On any sidewalk or in the right of way. *add a-10 park trails; a-11 school property

(b) Whoever violates this section shall be fined not less than \$50.00 nor more than \$500.00, imprisoned not less than three nor more than 30 days, or both.”

(ORC 4519.40)

and present Section 375.03 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: August 1, 2022


CLERK OF COUNCIL


VICE PRESIDENT OF COUNCIL


MAYOR

072822 jt