

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. 2020-59Passed 09-28-2020

ORDINANCE AMENDING SECTIONS 337.13 and 331.38, OF THE MARION CITY CODE AND DECLARING AN EMERGENCY

WHEREAS, the Council has been advised by Administrators responsible for the enforcement of the existing nuisance codes there are certain provisions which are in need of necessary updates, clarifications and enhancements, and

WHEREAS, the Council finds it to be in the best interests of the citizens of Marion to update the City Code, as follows, in order to eliminate unwanted nuisances and enhance the community,

BE IT ORDAINED by the Council of Marion, Marion County, Ohio:

Section 1. § 337.13 TWO LIGHTS DISPLAYED, now reading as:

(A) At all times mentioned in § 337.02 at least two lighted lights shall be displayed, one near each side of the front of every motor vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(B) The Ohio Director of Highway Safety shall prescribe and promulgate regulations relating to the design and use of such lights and such regulations shall be in accordance with currently recognized standards.
(R.C. § 4513.14) ('70 Code, § 337.13) Penalty, see §§ 309.01 and 309.02

SHALL BE AMENDED TO READ:

§ 337.13 TWO HEADLIGHTS DISPLAYED.

A. At all times mentioned in § 337.02 at least two lighted **headlights** shall be displayed, one near each side of the front of every motor vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(B) The Ohio Director of Highway Safety shall prescribe and promulgate regulations relating to the design and use of such lights and such regulations shall be in accordance with currently recognized standards.
(R.C. § 4513.14) ('70 Code, § 337.13) Penalty, see §§ 309.01 and 309.02

Section 2. § 331.38 DRIVING AND PARKING UPON SIDEWALKS, STREET LAWNS OR CURB LINES now reading as:

(A) On streets with curbs, no person shall drive, stand or park a vehicle on a sidewalk, street lawn area or curb of a street, except when entering or leaving a permanent or temporary driveway or when parked on an off-pavement parking area as herein described.

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(B) An off-pavement parking area is a paved area between the sidewalk and the curb in which vehicles may be parked perpendicular to the pavement. Such area shall be of such dimensions that no part of the vehicle shall extend over the sidewalk or over the curb. In no case shall vehicles be permitted to park between the curb and sidewalk parallel to the pavement.

(C) On streets where there are no curbs, no person shall drive, stand or park a vehicle on a sidewalk, except when entering or leaving a temporary or permanent driveway.

('70 Code, § 331.38) Penalty, see §§ 309.01 and 309.02

Shall be amended to read:

§ 331.38 DRIVING AND PARKING UPON SIDEWALKS, STREET OR TREE LAWNS OR CURB LINES.

(A) On streets with curbs, no person shall drive, stand or park a vehicle on a sidewalk, street lawn area, or curb of a street, except when entering or leaving a permanent or temporary driveway or when parked on an off-pavement parking area as herein described.

(B) An off-pavement parking area is a paved area between the sidewalk and the curb **or roadway edge on streets without curbs** in which vehicles may be parked parallel to the pavement, **where the adjoining property owner has obtained all necessary permits and constructed same in compliance with Engineer's regulations**. Such area shall be of such dimensions that no part of the vehicle shall extend over the sidewalk, over the curb **or over the roadway edge**. In no case shall vehicles be permitted to park between the curb or edge of roadway and the sidewalk perpendicular to the pavement, other than Park Blvd..

(C) On streets where there are no curbs, no person shall drive, stand or park a vehicle on a sidewalk, **street lawn, tree lawn or within the city's right-of-way**, except when entering or leaving a temporary or permanent driveway and **except where the adjoining property owner has obtained all necessary permits and constructed an off pavement parking area same in compliance with Engineer's regulations. Unless the established parking area existed prior to July 1, 2020.**

(D) Within the City right of way, no person shall park or stand a vehicle in violation of any City Code.

('70 Code, § 331.38) Penalty, see §§ 309.01 and 309.02

Section 3 . That this Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its inhabitants thereof: given the immediate need to eliminate unwanted nuisances and enhance the community; and as such shall take effect and be in force

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immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council, otherwise it shall become effective on the earliest date allowed by law.



Todd Schneider
President of Council

APPROVED:



Mayor Scott Schertzer

ATTEST:



Tarina R. Rose
Clerk of Council

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