

CITY OF CHEVIOT
STATE OF OHIO

ORDINANCE NO. 16 - 3

TO AMEND SECTION 76.42 OF THE CODIFIED ORDINANCES OF CHEVIOT; AND TO DECLARE AN EMERGENCY.

WHEREAS, Section 76.42 of the Cheviot Code of Ordinances currently reads as follows:

§ 76.42 METERED PARKING VIOLATIONS

- (A) It shall be unlawful, during hours of limited parking to permit a vehicle to remain parked in a designated parking space while the parking meter for the space indicates the car is illegally parked, whether the indication is the result of the failure to deposit a coin or operate the lever or other actuating device of the meter, or the result of the automatic operation of the meter following the expiration of the authorized parking time subsequently to the depositing of a coin herein at the time the vehicle was parked.
- (B) A police officer, upon finding a violation of this section, shall issue a citation tag enabling the violator to pay a fine of \$20, provided it is paid at the city hall within 168 hours after receipt of notice. The time noted by the police officer shall be *prima facie* evidence of the time. If the citation is paid within two hours after the time written on the citation, the fine shall be \$10. Tickets shall be paid at city hall between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays. Time between 4:00 p.m. and 8:00 a.m., time on weekends, and time on holidays shall be extended to the next working day, and shall not be counted as part of the two hour period.

WHEREAS, Sections 33.50 through 33.54 of the Cheviot Code of Ordinances established a procedure whereby parking violations may be enforced by a parking enforcement officer; and

WHEREAS, in order to ensure that there is no ambiguity or conflict between code sections, this council desires to amend Section 76.42 to clarify that meter violations may be enforced by persons who are not police officers;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

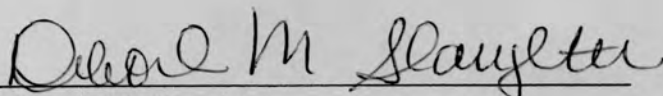
Section 1. Section 76.42 of the Cheviot Code of Ordinances shall be amended to read as follows:

§ 76.42 METERED PARKING VIOLATIONS

- (A) It shall be unlawful, during hours of limited parking to permit a vehicle to remain parked in a designated parking space while the parking meter for the space indicates the car is illegally parked, whether the indication is the result of the failure to deposit a coin or operate the lever or other actuating device of the meter, or the result of the automatic operation of the meter following the expiration of the authorized parking time subsequently to the depositing of a coin herein at the time the vehicle was parked.

- (B) A police officer, a parking enforcement officer, or anyone else authorized by the Cheviot Code of Ordinances, upon finding a violation of this section, shall issue a citation tag enabling the violator to pay a fine of \$20, provided it is paid at the city hall within 168 hours after receipt of notice. The time noted by the officer shall be *prima facie* evidence of the time. If the citation is paid within two hours after the time written on the citation, the fine shall be \$10. Tickets shall be paid at city hall between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays. Time between 4:00 p.m. and 8:00 a.m., time on weekends, and time on holidays shall be extended to the next working day, and shall not be counted as part of the two hour period.

Section 2. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to ensure that the code sections accurately state the manner of enforcement and to ensure that there is no conflict between code sections.


Deborah M. Slaughter
President of Council

February 2, 2016
Date passed

Samuel D Keller

Samuel D. Keller
Mayor

2/2/16

Date approved

Attest:

Jenny M Eilermann

Jenny M. Eilermann
Clerk of Council

APPROVED AS TO FORM:

Mark G Waters

MARK G. WATERS
LAW DIRECTOR

CERTIFICATION OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Western Hills Press*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates :

- 1) 2-10, 2016, and
- 2) 2-17, 2016.

Jenny M. Eiler

Jenny M. Eilermann
Clerk of Council