

**ADOPTION OF A PARKING BAN FOR SNOW EMERGENCIES
ON ALL TOWNSHIP ROADS IN ACCORDANCE WITH
SECTION 505.17 OF THE OHIO REVISED CODE.**

RESOLUTION NO.: 100819.02

The Montville Township Board of Trustees of Medina County, Ohio, met in regular session on October 8, 2019 with the following members present:

Trustee Ron Bischof - Trustee Jeff Brandon - Trustee Sally Albrecht

Trustee Albrecht offered the following resolution and moved the adoption of same, which was duly seconded by Trustee Bischof

**RESOLUTION FOR THE ADOPTION OF A PARKING BAN FOR SNOW
EMERGENCIES ON ALL TOWNSHIP ROADS IN ACCORDANCE WITH SECTION
505.17 OF THE OHIO REVISED CODE.**

WHEREAS, a general snow emergency authorization for purposes of regulating parking of vehicles on township streets during snow emergencies is necessary to protect the health, safety and welfare of residents in this area; and

WHEREAS, regulation of parking on township streets during snow emergencies is necessary in order to expedite clearing and/or treating of snow or ice upon township streets by township vehicles; and

WHEREAS, such authorization and regulation is permitted by Ohio Revised Code Section 505.17 and Section 4521.02;

NOW THEREFORE BE IT RESOLVED THAT:

- 1) Pursuant to the express authority of Ohio Revised Code Section 505.17(B) the Montville Township Board of Trustees hereby designates the Montville Township Service Department Director or Police Chief as the person authorized to issue an order declaring a snow emergency limiting or preventing parking on any township road, street or highway during the declared snow emergency.
- 2) Parking during a snow emergency, as defined herein, upon any township street on which traffic control devices are posted in accordance with this Resolution, is prohibited.
 - a) Traffic control devices indicating the existence of snow emergency regulations shall be erected at all entrances to township subdivisions and at locations to be determined by the Service Department Director or Police Chief.
 - b) For purposes of this Resolution, a snow emergency is hereby defined as a condition existing in all or parts of the township whereby,

- i) snow has accumulated or is expected to accumulate to a depth of two or more inches upon township streets and creates a condition requiring snow removal or treatment by township trucks, plows, or other vehicles and/or
- ii) ice has accumulated or is expected to accumulate to an unsafe depth or condition as determined by the Service Department Director or Police Chief upon township streets and creates a condition requiring removal or treatment by township trucks, plows, or other vehicles.
- c) The provisions of this Resolution shall be in effect two hours following the declaration of a snow emergency by the Service Department Director or his/her designee, and by the making of an announcement of such emergency to the local news media, requesting that the local news media announce that such an emergency has been declared, specifying the hour the declaration will go into effect, and indicating whether the snow emergency will remain in effect for a specified period of time or indefinitely until canceled by a subsequent announcement to the local news media by the Service Department Director, Police Chief, or a Township Trustee.
 - i) Traffic control devices conforming to Section 4511.09 of the Ohio Revised Code shall be prominently displayed for purposes of enforcing provisions of this Resolution.
 - ii) The Township Fiscal Officer shall cause a copy of this Resolution to be posted in five conspicuous places in the township for a period of 30 days, and a copy of this Resolution shall be published in a newspaper of general circulation in the township for three consecutive weeks.
 - iii) Permanent signs giving notice that parking is limited or prohibited during a snow emergency shall be properly posted in accordance with standards adopted by the Ohio Department of Transportation.
 - iv) The Service Department Director or his/her designee or any police officer of the Township may order into storage any vehicle parked in violation of this Resolution.
 - (1) The owner or any lien holder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be shown by a certificate of title to the vehicle, and payment of all expenses, charges, and fines incurred as a result of the parking violation and removal and storage of the vehicle.
- 3) The Service Department Director, his or her designee and/or any police officer of the Township may issue a violation order upon any vehicle in violation of this Resolution.
 - a) No persons violating any regulation or order adopted pursuant to this Resolution shall be charged with a criminal offense and no person shall be arrested as a result of the commission of such violation.

- b) However, whoever violates any regulation or order adopted pursuant to this Resolution shall be fined Twenty Dollars (\$20.00).
- c) All fines levied and collected under this Resolution shall be paid into the Montville Township General Fund.
 - i) Failure to pay said fine within ten calendar days of its issuance will result in an additional fine of Twenty Five Dollars (for a total fine of \$45.00).
 - ii) Failure to pay said fine within twenty calendar days of its issuance will result in an additional fine of Twenty-Five Dollars (for a total fine of \$70.00).
 - iii) Any person who fails to pay the fine in the times specified, must answer the violation to the Montville Township Board of Trustees within twenty days of the issuance of the violation.
 - iv) The Township is hereby authorized to utilize legal counsel and/or to pursue any and all legal options available under the Ohio Revised Code to enforce this parking ban and to collect fines issued under this Resolution.
- 4) Notice is further given that the above Snow Emergency/Snow Parking Ban of the Montville Township Board of Trustees may be obtained or inspected at the office of the Fiscal Officer, upon request by appointment.