

ORDINANCE NO. 2022-09

AN ORDINANCE ADOPTING REGULATIONS PROHIBITING DRIVING UPON SIDEWALKS, TREE LAWNS, OR CURBS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CASTALIA AND DECLARING AN EMERGENCY.

WHEREAS, Council had previously enacted *section 432.24 of the Codified Ordinances of the Village of Castalia, Ohio* to prohibit the driving of motor vehicles upon sidewalks, tree lawns, or curbs and providing a penalty for violation thereof; and

WHEREAS, Council has recently repealed its Codified Ordinances but has also determined that the prohibition as set forth in the above cited section should remain in effect; and

WHEREAS, Council has further determined that it is necessary to adopt the within ordinance as an emergency measure as the prohibition herein is directly related to immediate preservation of the health, safety, and welfare of the Village of Castalia; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CASTALIA, STATE OF OHIO:

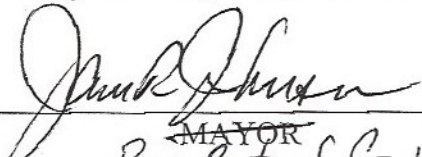
SECTION 1. DRIVING UPON SIDEWALKS, TREE LAWNS, CURBS, OR PUBLIC PROPERTY.

- (A) (1) No person shall drive any vehicle, other than a bicycle, upon a sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway.
(2) Nothing in this section shall be construed as prohibiting local authorities from regulating the operation of bicycles, except that no local authority may require that bicycles be operated on sidewalks.
(3) No person shall drive a motor vehicle along or across any public property owned, leased or under control of a political subdivision of the state except on duly dedicated streets and alleys and other areas designed or designated for vehicular travel.
- (B) Except as otherwise provided in this division, whoever violates this ordinance is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.711)
- (C) No person shall drive a vehicle on a tree lawn area or curb of a street, except upon a permanent or duly authorized temporary driveway or when otherwise lawfully authorized.

SECTION 2. That the Fiscal Officer is authorized and directed to provide a certified copy of the foregoing ordinance to the Erie County Sheriff, the Sandusky Municipal Court, and the Sandusky Bay Law Library.

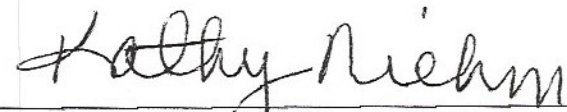
SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including *§121.22 of the Revised Code*.

SECTION 4. That the Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the Village of Castalia. Therefore, this Ordinance shall be adopted as an emergency measure to take effect immediately upon its adoption and due authentication by the Mayor and the Fiscal Officer, respectively.



MAYOR
President of Council

ATTEST:



VILLAGE FISCAL OFFICER

Adopted: June 28, 2022