

ORDINANCE NO. 4 , 2011

AN ORDINANCE AMENDING SECTIONS 76.04 and 76.99 OF THE CODE OF ORDINANCES REGARDING PARKING VIOLATIONS AND PENALTIES

WHEREAS, Sections 76.04 and 76.99 of the Code of Ordinances set forth parking violations and penalties for parking violations; and

WHEREAS, The City of Montgomery desires to amend Sections 76.04 and 76.99 of the Code of Ordinances to reflect additional violations and their associated penalties for parking violations throughout the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. Section 76.04 of the Code of Ordinances titled "Parking Prohibitions" shall be adopted as follows:

- (A)(18) Within ten (10) feet, in either direction, of a mailbox;
- (A)(19) At any place posted "No Parking – Fire Lane";
- (A)(20) With the exception of two-wheel or three-wheel non-motorized bicycles, on any grass area, lawn, landscape berm or other unpaved area, whether in the front, side or rear of a lot in any residential, business or commercial district within the City when there is a paved driveway, established paved parking or established paved display lot on such property or available parking upon another lot by approved agreement consistent with the Land Use Code.
- (A)(21) Upon any street for a continuous period longer than 72 hours.

(A)(22) Within any area of a divided roadway or boulevard, which is a turnaround lane, left turn lane, or pass through area of the divided roadway or boulevard.

SECTION 2. Section 76.99 of the Code of Ordinances titled "Penalty" shall be amended as follows:

(C) Whoever violates § 76.04(A)(21) shall be guilty of a minor misdemeanor for the first offense. Each separate vehicle improperly parked or standing on such property and each day that such violation occurs may be the subject of a separate citation and criminal conviction.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 4. The sections and subsections of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective, for any cause, shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.

SECTION 5. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: April 6, 2011

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison
Gerri Harbison, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellan
Terrence M. Donnellan, Law Director