

**CITY OF OBERLIN, OHIO**

**ORDINANCE No. 16-17 AC CMS**

AN ORDINANCE AMENDING SECTIONS 351.17, 373.09 AND 373.99 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN TO REGULATE THE PARKING OF BICYCLES IN THE PUBLIC RIGHT OF WAY AND PROVIDING FOR THE ENFORCEMENT OF SUCH REGULATIONS.

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That Sections 351.17, 373.09, and 373.99 of the Codified Ordinances of the City of Oberlin, Ohio, are hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect at the earliest possible date allowed by law.

PASSED: 1<sup>st</sup> Reading: July 5, 2016

2<sup>nd</sup> Reading: August 15, 2016 (Amended)

3<sup>rd</sup> Reading: September 6, 2016 (E)

ATTEST:



BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL



RONNIE RIMBERT  
PRESIDENT OF COUNCIL

POSTED: 09/07/2016

EFFECTIVE DATE: 10/06/2016

## **EXHIBIT A**

### **351.17 PARKING IN THE CENTRAL BUSINESS DISTRICT (CBD)**

(a) No person shall park a motor vehicle or motorcycle in a parking space on the public streets in the Central Business District of the City for a period longer than two hours or for a period longer than one-half hour in spaces designated as short term parking by the City Manager, except for Sundays and holidays. No person shall park a bicycle in a public bicycle rack on the public streets in the Central Business District of the City for a period longer than twenty-four hours.

(b) Public streets in the Central Business District are defined as Main Street (between Vine Street and the crosswalk between Tappan Square and Hall Auditorium) and College Street (between Professor Street and Pleasant Street).

(c) The Police Department shall make regular patrols of the defined area and shall issue citations for any violation of this section.

(d) The owner of the motor vehicle or bicycle which is parked in the defined area in violation of this section shall be responsible for such violation and the violation citation shall be issued to such owner.

### **373.09 Parking of Bicycle.**

(a) No person shall secure a bicycle upon a public sidewalk except in a properly constructed rack. Bicycles shall not be secured or otherwise locked to trees, street lights, stop signs, or public property located in the public right-of-ways. Bicycles shall not be secured or otherwise locked or placed on private property in a manner where any portion of the bicycle intrudes into the public right-of-way. The foregoing shall not be applicable to City police officers or Fire Department personnel while acting within the scope of their official duties.

### **373.99 Penalty.**

(a) Persons in violation of the following sections of this Chapter: 373.05, 373.06, 373.09, 373.10 or 373.11, shall be issued a bicycle violation ticket of \$20.00, payable to the City of Oberlin within thirty (30) days of issuance. If the ticket is not paid within thirty (30) days, an Affidavit and Summons to appear in the Oberlin Municipal Court may be issued and a fine of no more than one hundred dollars (\$100.00) may be imposed.

(b) If the person in violation is not present or cannot be located at the time of the offense, the Police or Auxiliary Officer may confiscate the bicycle.

(c) A confiscated bicycle shall be released upon proof of ownership and the payment of the fine provided for in section (a) above.

(d) A bicycle that has been confiscated and not released in accordance with section (a) and (b) above within ninety (90) days of confiscation shall be deemed to be abandoned and shall be disposed of in

accordance with law.

(e) The City shall not be responsible for loss of or damage to a bicycle that has been confiscated in accordance with section (a) above or otherwise incurred in the enforcement of this section.

(f) Any person who violates any provision of this Chapter for which no penalty is otherwise provided, is guilty of a minor misdemeanor.