

Ordinance No. 526-2022

By Council Members Polensek and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 451.03 and 459.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 656-17, passed October 16, 2017 and Ordinance No. 1693-06, passed October 9, 2006, relating to statutory prohibited standing or parking places and parking infraction fines.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Sections 451.03 and 459.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 656-17, passed October 16, 2017 and Ordinance No. 1693-06, passed October 9, 2006, are amended to read as follows:

Section 451.03 Statutory Prohibited Standing or Parking Places

(a) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (1) On a sidewalk, except as provided in division (b) of this section;
- (2) In front of a public or private driveway, or within two and one-half (2-1/2) feet, thirty (30) inches;
- (3) Within an intersection;
- (4) Within ten (10) feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty (20) feet of a crosswalk at an intersection or within twenty (20) feet of a crosswalk located within the block where a school is located during regular school hours;
- (7) Within thirty (30) feet of, and upon the approach to, any flashing beacon, stop sign, or traffic control device;
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (10) Within twenty (20) feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five (75) feet of the entrance when it is properly posted with signs;
- (11) Alongside or opposite any street excavation or obstruction when the standing or parking would obstruct traffic;
- (12) Alongside any vehicle stopped or parked at the edge or curb of a street;

Ordinance No. 526-2022

(13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;

(14) At any place where signs prohibit stopping, standing or parking, or at any place in excess of the maximum time limited by signs;

(15) Within one (1) foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway or thruway;

(17) Except for bicycles, on any on- street path, lane, trail, or multi-purpose lane designated by official signs or markings for the exclusive use of bicycles or other non-motorized modes of transportation;

(18) At any place where signs prohibit or restrict the hours of parking by Police Order.

(b) A person shall be permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred fifty (150) cubic centimeters, or a bicycle, provided that the motor-driven cycle, motor scooter, or bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of RC 4511.711, or any substantially equivalent section of these Codified Ordinances.

Section 459.11 Parking Infraction Fines

(a) The fine for committing a parking infraction, unless another fine is established by ~~divisions (b) or (e)~~ of this section, is hereby established to be twenty-five dollars (\$25.00), except that the fine for a rush hour parking infraction shall be thirty-five dollars (\$35.00).

(b) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be fifty dollars (\$50.00):

451.03	Statutory Prohibited Standing or Parking Places, division (d) (a)(4), division (e) (a)(5) and division (j) (a)(10) only
451.15	Fire Lanes on Public and Private Property, division (b) and division (c) only
451.22	Between Sidewalk and Setback Line
451.23	Tree Lawn and Private Driveway, division (a) only
451.241	Parking Vehicles on Vacant Lots Prohibited, division (b) only
451.25	Abandoned Vehicles
451.17	Snow Emergency
451.18	Bus Stops and Taxicab Stands, division (b) only

(c) The fine for violating each of the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred dollars (\$100.00):

451.21	Trucks and Commercial Vehicles, division (b) only
--------	---

Ordinance No. 526-2022

(d) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred fifty dollars (\$150.00):

451.03	Statutory Prohibited Standing or Parking Places, division (a)(18) only
--------	--

(e) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be two hundred and fifty dollars (\$250.00):

451.041	Physically Handicapped Parking, division (b) only
---------	---

Section 2. That existing Sections 451.03 and 459.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 656-17, passed October 16, 2017 and Ordinance No. 1693-06, passed October 9, 2006, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SM:nl
5-23-2022
FOR: Director Howard

Ord. No. 526-2022

REPORT
after second Reading

By Council Members Polensek and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 451.03 and 459.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 656-17, passed October 16, 2017 and Ordinance No. 1693-06, passed October 9, 2006, relating to statutory prohibited standing or parking places and parking infraction fines.

READ FIRST TIME on MAY 23, 2022

REPORTS

and referred to DIRECTORS of Public Safety, Finance, Law;
COMMITTEES on Safety, Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. 109 Page _____

Published in the City Record _____

PASSAGE RECOMMENDED BY
COMMITTEE ON
SAFETY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE