

ORDINANCE NO. OR24-23

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING OLD SECTION 351.16 “FIRE LANES” OF THE TROTWOOD CODES OF ORDINANCES AND ENACTING NEW SECTION 351.16 “FIRE LANES” TO MODIFY AND UPDATE REGULATIONS PERTAINING TO FIRE LANES IN THE CITY OF TROTWOOD.

WHEREAS, Article XVIII, Section 3, of the Constitution of the State of Ohio, grants municipalities the authority to exercise all powers of local self-government and to enact and enforce local police, sanitary, and other regulations that are not in conflict with the general laws of the State of Ohio; and

WHEREAS, City Council has determined that certain provisions of the current Section 351.16 “Fire Lanes” of the Trotwood Codes of Ordinances require revision to modify and update fire lane regulations in the City of Trotwood; and

WHEREAS, the City Manager and Fire Chief recommend that City Council repeal current Section 351.16 “Fire Lanes” in its entirety and that a new Section 351.16 “Fire Lanes” be enacted in order to protect and promote the public health, safety, and welfare; and

WHEREAS, City Council accepts the recommendation made by the City Manager and Fire Chief and, therefore, will repeal and replace Section 351.16 of the Trotwood Codes of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: Section 351.16 “Fire Lanes” of the Trotwood Codes of Ordinances is hereby repealed in its entirety.

SECTION II: A new Section 351.16 “Fire Lanes” is hereby enacted as set forth in Exhibit A attached hereto and incorporated herein by reference, with additions in **bold** and underscored and deletions in ~~strike through~~.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV:

This Ordinance shall take effect at the earliest time allowed by law.


Passed this 5th day of September, 2023.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


MARY A. MCDONALD
MAYOR


YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. OR24-23 adopted by the Trotwood City Council at a regular scheduled meeting held on the 5th day of September, 2023, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

351.16 FIRE LANES.

~~(a) The Chief of Police and Public Safety Director, after written notification to the Fire Chief of Madison Township, shall designate the marked fire lanes on private property devoted to public use located in the City.~~

(a) Parking or otherwise obstructing designated and marked fire lanes located in the City shall be prohibited at all times. ~~with the following lanes on private or public property set forth:~~

~~(1) Main Center Shopping Center, its successors or assigns, 420—506 E. Main Street, Trotwood, Ohio 45426 as set forth in Exhibit A attached to Ordinance 3-93 and incorporated herein by reference;~~

~~(2) Broadmoor Plaza Shopping Center, its successors or assigns, 814-840 E. Main Street, Trotwood, Ohio 45426 as set forth in Exhibit B attached to Ordinance 3-93 and incorporated herein by reference;~~

~~(3) Trotwood Lanes, its successors or assigns 751 E. Main Street, Trotwood, Ohio 45426, set forth in Exhibit C attached to Ordinance 3-93 and incorporated herein by reference;~~

~~(4) Shiloh Glenn Apartments, its successors or assigns, Shiloh Springs Road, Trotwood, Ohio 45426 as set forth in Exhibit D attached to Ordinance 3-93 and incorporated herein by reference;~~

~~(5) Salem Mall Regional Shopping Complex, its successors or assigns, 5200 Salem Avenue, Trotwood, Ohio 45426 as set forth in Exhibit E attached to Ordinance 3-93 and incorporated herein by reference;~~
and

~~(6) Toys R Us structure, its successors or assigns, 2424 Shiloh Springs Road, Trotwood, Ohio 45426 as set forth in Exhibit F attached to Ordinance 3-93 and incorporated herein by reference; and~~

~~(7) Applebees Restaurant, its successors or assigns, 2555 Shiloh Springs Road, Trotwood, Ohio 45426 as set forth in Exhibit H attached to Ordinance 3-93 and incorporated herein by reference.~~

~~(Ord. 3-93. Passed 2-15-93.)~~

~~(8) Lowes Home Improvement Center, its successor or assigns, 5252 Salem Avenue, Trotwood, Ohio 45426, as set forth in Exhibit (I) on file with the City and incorporated herein by reference.~~

~~(9) Sun T.V., its successor or assigns, 5320 Salem Avenue, Trotwood, Ohio 45426, as set forth in Exhibit (J) on file with the City and incorporated herein by reference.~~

~~(10) K Mart Center, its successor or assigns, 5300 Salem Avenue, Trotwood, Ohio 45426, as set forth in Exhibit (K) on file with the City and incorporated herein by reference.~~

~~(e)~~ **b** All motor vehicles obstructing fire lanes provided in this section may be impounded by a police officer with costs of towing and storage assessed against the violator in addition to any fine imposed by the appropriate court.

~~(d)~~ **c** If the identity of the driver cannot be determined, the owner or the person in whose name the motor vehicle is registered shall be held prima facie responsible for the violation and the towing and storage.

(e d) The fire lanes referred to above shall be posted with approved ~~metal signs~~ **or other approved notices or markings that include the words "NO PARKING – FIRE LANE," or similar words in compliance with the Ohio Fire Code as determined by the City's fire code official.** ~~The background of these signs shall be reflective white in color with red lettering and these signs shall be posted at a minimum of 150 feet intervals. In addition to the curb perimeter being posted there shall be approved metal signs posted at the end of every other row of parking stalls closest to the curb perimeter.~~

~~(1987 Code 76.14)~~

(f e) Except as otherwise provided in this subsection, whoever violates this section 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 two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.