

**ORDINANCE NO. 98-56 AC CMS**

**AN ORDINANCE ENACTING SECTION 351.19 AND AMENDING SECTION 351.99  
OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN, OHIO, RELATING  
TO RESIDENTIAL AND BUSINESS DISTRICT PARKING ON PUBLIC STREETS  
WITHIN THE CITY OF OBERLIN**

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

SECTION 1. That the following Section is hereby added to the Codified Ordinances of the City of Oberlin:

**351.19        48 HOURS PARKING IN RESIDENTIAL DISTRICTS.**

No person shall park any vehicle on the streets or alleys of the residential districts of the city for more than 48 continuous hours during the period from April 1 to November 1.

SECTION 2. That Section 351.99 of the Codified Ordinances of the City of Oberlin is hereby amended to read as follows:

**351.99        PENALTY AND WAIVER.**

Whoever is charged with the violation of any parking provisions of this Chapter, wherein a specific penalty is not otherwise provided, may, in lieu of being charged in Court on an affidavit, deliver the citation to the police department and pay a fine as follows:

(a) For a violation of Section 351.15 of this Chapter:

- (1) Twenty dollars (\$20.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (3) and (4) set forth hereinafter do not apply.
- (2) If paid after seventy-two hours but within thirty days, the fine shall be thirty dollars (\$30.00), if the repeat offender provisions of subsections (3) and (4) set forth hereinafter do not apply.
- (3) The fine shall be fifty dollars (\$50.00) for a second violation within the period of November 1 to April 1.
- (4) The fine shall be seventy-five (\$75.00) per additional violation if there are three or more violations within the period of November 1 to April 1, and the vehicle shall be removed under lawful procedures.
- (5) If any violation is not paid within thirty days, the City shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).


- (b) For a violation of Section 351.17 of this Chapter:
  - (1) Five Dollars (\$5.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (3), (4) and (5) set forth hereinafter do not apply.
  - (2) If paid after seventy-two hours but within thirty days, the fine shall be twenty-five dollars (\$25.00) if the repeat offender provisions of subsections (3), (4) and (5) set forth hereinafter do not apply.
  - (3) The fine shall be thirty-five dollars (\$35.00) for a second violation within seventy-two (72) hours.
  - (4) The fine shall be seventy-five dollars (\$75.00) if there are more than two violations within a period of five days.
  - (5) The fine shall be one hundred dollars (\$100.00) if there are more than three violations within a period of ten days, and the vehicle shall be removed under lawful procedures.
  - (6) If any violation is not paid within thirty days, the City shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).
- (c) For a violation of Section 351.19 of this Chapter:
  - (1) Twenty dollars (\$20.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (3) and (4) set forth hereinafter do not apply.
  - (2) If paid after seventy-two hours but within thirty days, the fine shall be thirty dollars (\$30.00) if the repeat offender provisions of subsections (3) and (4) set forth hereinafter do not apply.
  - (3) The fine shall be fifty dollars (\$50.00) for a second violation within a thirty day period.
  - (4) The fine shall be seventy-five dollars (\$75.00) per additional violation if there are more than two violations within a period of sixty days, and the vehicle shall be removed under lawful procedures.
  - (5) If any violation is not paid within thirty days, the city shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).
- (d) For any other provision of this Chapter wherein a specific penalty is not provided, a fine of fifty dollars (\$50.00).
- (e) Any such payment of the citation shall be deemed a plea of guilty, waiver of Court appearance, and an acknowledgment of the conviction of the alleged offense, and may be accepted in full satisfaction by the City for the subscribed penalty for the alleged violation.

SECTION 4. 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 5. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1<sup>st</sup> Reading - July 6, 1998 (Corrected)  
2<sup>nd</sup> Reading - August 3, 1998 (E)  
3<sup>rd</sup> Reading -

ATTEST:

  
CLERK OF COUNCIL

  
CHAIR OF COUNCIL

POSTED: August 4, 1998

EFFECTIVE DATE: August 4, 1998

**351.18 PARKING ON POSTED PRIVATE PROPERTY.**

If an owner of private property posts on the property in a conspicuous manner, a prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:

- (a) Park a vehicle on the property without the owner's consent;
- (b) Park a vehicle on the property in violation of any condition or regulation posted by the owner. (ORC 4511.681)

**351.19 48 HOURS PARKING IN RESIDENTIAL DISTRICTS.**

No person shall park any vehicle on the streets or alleys of the residential districts of the City for more than 48 continuous hours during the period from April 1 to November 1.  
(Ord. 98-56 AC. Passed 8-3-98.)

**351.99 PENALTY AND WAIVER.**

(a) Whoever violates any provision of this chapter wherein a specific penalty is not otherwise provided shall be fined not more than two hundred dollars (\$200.00).

(b) Whoever is charged with the violation of any parking provisions of this chapter wherein a parking citation is issued, may, in lieu of being charged in Court on an affidavit and being subject to the penalty provided in subsection (a) hereof, deliver the citation to the Police Department and pay a fine as follows:

(1) For a violation of Section 351.15:

- A. Twenty dollars (\$20.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (b)(1)C. and D. set forth hereinafter do not apply.
- B. If paid after seventy-two hours but within thirty days, the fine shall be thirty dollars (\$30.00), if the repeat offender provisions of subsections (b)(1)C. and D. set forth hereinafter do not apply.
- C. The fine shall be fifty dollars (\$50.00) for a second violation within the period of November 1 to April 1.
- D. The fine shall be seventy-five dollars (\$75.00) per additional violation if there are three or more violations within the period of November 1 to April 1, and the vehicle shall be removed under lawful procedures.
- E. If any violation is not paid within thirty days, the City shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).

(2) For a violation of Section 351.17:

- A. Five dollars (\$5.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (b)(2)C., D. and E. set forth hereinafter do not apply.
- B. If paid after seventy-two hours but within thirty days, the fine shall be twenty-five dollars (\$25.00) if the repeat offender provisions of subsections (b)(2)C., D. and E. set forth hereinafter do not apply.
- C. The fine shall be thirty-five dollars (\$35.00) for a second violation within seventy-two hours.
- D. The fine shall be seventy-five dollars (\$75.00) if there are more than two violations within a period of five days.
- E. The fine shall be one hundred dollars (\$100.00) if there are more than three violations within a period of ten days, and the vehicle shall be removed under lawful procedures.

- F. If any violation is not paid within thirty days, the City shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).
- (3) For a violation of Section 351.19:
  - A. Twenty dollars (\$20.00) if the violation is paid within seventy-two hours and the repeat offender provisions of subsections (b)(3)C. and D. set forth hereinafter do not apply.
  - B. If paid after seventy-two hours but within thirty days, the fine shall be thirty dollars (\$30.00) if the repeat offender provisions of subsections (b)(3)C. and D. set forth hereinafter do not apply.
  - C. The fine shall be fifty dollars (\$50.00) for a second violation within a thirty-day period.
  - D. The fine shall be seventy-five dollars (\$75.00) per additional violation if there are more than two violations within a period of sixty days, and the vehicle shall be removed under lawful procedures.
  - E. If any violation is not paid within thirty days, the City shall proceed with a formal charge and each violation shall be subject to a fine of not more than two hundred dollars (\$200.00).
- (4) For a violation of any other parking provision of this chapter:
  - A. Ten dollars (\$10.00) if the violation is paid within seventy-two hours.
  - B. If paid after seventy-two hours but within thirty days, the fine shall be twenty-five dollars (\$25.00).
  - C. If not paid within thirty days, the City shall proceed with a formal charge and the violation shall be subject to a fine of not more than two hundred dollars (\$200.00).
- (5) Any such payment of the citation shall be deemed a plea of guilty, waiver of Court appearance, and an acknowledgment of the conviction of the alleged offense, and may be accepted in full satisfaction by the City for the subscribed penalty for the alleged violation.  
(Ord. 98-98AC. Passed 12-7-98.)