

ORDINANCE NO. 8-2016

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO MODIFY CHAPTER 313.01 TO ADDRESS DRIVING UPON PRIVATE PROPERTY TO AVOID TRAFFIC CONTROL DEVICES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of New Philadelphia previously enacted Chapter 313.01 to address obedience to traffic control devices; and

WHEREAS, the City of New Philadelphia has determined that the previously enacted Chapter 313.01, should be modified to include a section that addresses driving upon private property to avoid traffic control devices.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AS FOLLOWS:

SECTION 1. That the previously enacted Chapter 313.01 is hereby modified to include the following sections:

(c) No person shall operate a motor vehicle upon or enter through private property at or near an intersection for purposes of avoiding or bypassing a traffic control device situated at such intersection. A rebuttable presumption of intent to violate the within section shall occur when the operator of a vehicle enters private property from a public roadway, and proceeds without interruption to exit the said private property onto a public roadway that intersects with the roadway upon which said operator had entered the private property from.

(d) 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 violates this section is guilty of a misdemeanor of the third degree.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Ordinance shall take effect and be in force immediately upon its passage.

PASSED: August 8, 2016

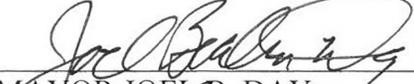

SAM R. HITCHCOCK
PRESIDENT OF COUNCIL

ATTEST:



JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:



MAYOR JOEL B. DAY

SPONSORED BY: SAFETY, HEALTH AND SERVICE COMMITTEE