

VILLAGE OF SEVILLE

ORDINANCE NO. 2023-13

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ESTABLISHING ADDITIONAL PARKING REGULATIONS.

WHEREAS, Council desires to establish additional parking regulations for the Village.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO THAT:

1. Council hereby establishes the parking regulations set forth below to supplement Parking Regulations set forth Seville Traffic Code Chapter 76, Ordinance 2004-28 regulating the parking on tree lawns, Ordinance 2013-33 regulating parking in the downtown area, and Ordinance 2015-50 regulating parking during a snow emergency. Seville Traffic Code Chapter 76, Ordinance 2004-28 regulating the parking on tree lawns, Ordinance 2013-33 regulating parking in the downtown area, and Ordinance 2015-50 regulating parking during a snow emergency.

A. DEFINITIONS

The following words and phrases shall have the meaning respectively ascribed to them in this section.

- (1) The terms "park" and "parking" mean the standing of a vehicle, whether occupied or not, except while actually engaged in loading or unloading merchandise or passengers.
- (2) The terms "stand" and "standing" mean the halting of a vehicle, whether occupied or not, other than for the purpose of and while actually engaged in receiving or discharging passengers.
- (3) The terms "stop" and "standing," when prohibited, mean any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control sign or signal.

B. GENERAL PROVISIONS

- (1) Where signs are posted with the words "No Parking" or words of similar import, those signs shall be construed to include a prohibition against parking, standing, or stopping a vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or comply with the directions of a police officer or traffic control sign or signal.

C. PRIMA-FACIE LIABILITY FOR PARKING VIOLATIONS

- (1) In any proceeding for a violation of this chapter relating to parking or leaving of a vehicle, proof that the particular vehicle described in the complaint was

parked or left in violation of this chapter, together with proof that the respondent named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who parked or left such vehicle at the location such a violation occurred.

D. PARKING PROHIBITIONS

- (1) No person shall stop, stand, or park a vehicle
 - (a) where signs prohibit stopping, standing, or parking or where the curbing is painted yellow;
 - (b) in violation of any posted condition, regulation, or instruction;
 - (c) on any lawn, grass, or landscaped area;
 - (d) in any area, zone, or parking space to which access has been restricted or in which parking is prohibited by the placement of barricades, traffic cones, or other devices or markings;
 - (e) on any street, roadway, alley, or public right of way during a Snow Emergency as defined in Ordinance 2015-50.
 - (f) Parking may be prohibited at all times on certain streets, roadways, or portions thereof. When signs are erected giving notice thereof, no person shall park a vehicle upon any street or roadway signposted.
 - (g) Parking time may be limited on certain streets, roadways, or portions thereof. When signs are erected giving notice of any time restriction, no person shall park a vehicle at any time upon any street or roadway in violation of the times or limits signposted.

D. PARKING IS PROHIBITED IN CERTAIN AREAS

- (1) It shall be unlawful for any person, firm, or corporation to park or leave standing any vehicle or combination of vehicles listed herein and as defined in § 4501.01 of the Ohio Revised Code on any street, roadway, alley, or another public place:
 - (a) Commercial tractor; and
 - (b) Semi-trailer.
- (2) It shall be unlawful for any person, firm, or corporation to park or leave standing any vehicle or combination of vehicles listed herein and as defined in § 4501.01 of the Ohio Revised Code on any street, roadway, alley or another public place:
 - (a) Bus;
 - (b) Trailer;
 - (c) Noncommercial trailer;
 - (d) Utility vehicle; and
 - (e) Recreational vehicles, to include motor home, travel trailer, fifth wheel trailer, park trailer, and boat trailer.
- (3) The provisions of division (B) shall not apply to any vehicle described in division (B) when stopped, parked, or left standing under the following conditions:

- (a) While being actively loaded or unloaded;
- (b) The vehicle is being used to convey passengers to a public meeting, school, assembly, or church during the actual session of the public meeting, school, assembly, or church;
- (c) Permission has been obtained from the Chief of Police or his or her designee.

F. MANNER OF ANGLE PARKING

- (1) Upon streets where angle parking is permitted, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway as indicated by appropriate signs or markings.
- (2) No person shall park or stand a vehicle in a parking space so that any part of such vehicle occupies more than one such space or protrudes beyond the marking designating such space.
- (3) No vehicle shall be backed into an angled parking stall.

G. OVERNIGHT PARKING

- (1) No person shall park or leave standing any vehicle on any street, alley, or Village right of way or other public places between 2:00 a.m. and 5:00 a.m.
- (2) No person shall park any vehicle in a lot of the Seville Municipal Building from 2:00 a.m. to 5:00 a.m. without the express permission of the Chief of Police or his designee.
- (3) No person shall park any vehicle in a lot provided for the Board of Public Affairs, Seville Streets and Parks, or any other Village department or division between sunset and sunrise hours.
- (4) No person shall park or leave standing any vehicle in a public park from sunset to sunrise.
- (5) The Traffic Committee as created by Ordinance No. 2003-11 may authorize areas where overnight parking is permitted and may designate conditions or restrictions necessary for parking in those areas.
- (6) The Chief of Police or his designee may authorize temporary overnight parking, not to exceed ten days, and any necessary conditions with that authorization to accommodate temporary or special needs or circumstances.

H. IMPOUNDING

- (1) Reasons for Impounding
 - (a) In addition to other enforcement powers, police officers are hereby authorized and directed to impound any vehicle and hold the same in custody if such vehicle is:

- (i) found in violation of any of the prohibitions contained in Seville Traffic Code Chapter 76;
 - (ii) found in violation of Ordinance 2015-50 regulating parking during a snow emergency;
 - (iii) found in violation of Ordinance 2004-28 regulating the parking on tree lawns;
 - (iv) found in violation of Ordinance 2013-33 regulating parking in the downtown area:
 - (v) left unoccupied by a licensed driver in a designated fire lane;
 - (vi) blocking a dumpster;
 - (vii) blocking other vehicles;
 - (viii) blocking or impeding access to any Village facilities;
 - (ix) found in violation of any of the provisions of this Ordinance.
 - (x) an unauthorized vehicle parked in a space or area reserved for a person with disabilities.
 - (xi) parked in an area where “No Parking - Tow Away Zone” or other restrictive signs or traffic control devices are erected.
- (b) Any vehicle parked or left on any Village street, roadway, or right of way in violation of this Ordinance constitutes a public hazard and an obstruction of traffic and may be towed and impounded immediately.
 - (c) No person may recover any impounded vehicle without providing proof of ownership and first paying the cost of removal and storage, notwithstanding, and apart from, any fine which may also be imposed for violation of this chapter.

I. EXEMPTIONS

- (1) Emergency, road work, and utility vehicles are exempt from parking regulations in performing their duties.

J. PENALTIES

- (1) Any vehicle parked in violation of this Ordinance shall be subject to the penalties in Section 10(a) of Ordinance No. 2010-30.
2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meeting requirements.
 3. This Ordinance shall take effect at the earliest time permitted by law.

First Reading: February 13, 2023
Second Reading: March 13, 2023
Third Reading: April 10, 2023

Passed: April 10, 2023

Carol Carter, Mayor

James Carrick, Fiscal Officer