

RECORD OF ORDINANCES

Ordinance No. 2020-19

Passed

August 10

20 20

**AN ORDINANCE AMENDING CHAPTER 446.03
OF THE BALTIMORE CODIFIED ORDINANCES (TRAFFIC CODE - CODE
ENFORCEMENT; PROHIBITED OPERATION)
TO PROHIBIT VEHICLE TRAFFIC IN VILLAGE PARKS
AND ON OTHER VILLAGE PROPERTY**

WHEREAS, the Village desires to amend Chapter 446.03 of the Baltimore Codified Ordinances (Traffic Code - Code Enforcement; Prohibited Operation) in order to prohibit the operation of vehicle traffic in Village parks and on property owned or controlled by the Village; and,

WHEREAS, Rules Committee has reviewed and recommended this amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO,
A MAJORITY OF ITS MEMBERS CONCURRING:

SECTION 1: That Chapter 446.03 of the Baltimore Codified Ordinances (Traffic Code - Code Enforcement; Prohibited Operation), which currently reads in relevant part as follows:

CODE APPLICATION; PROHIBITED OPERATION.

- (a) The applicable provisions of this traffic code apply to the operation of snowmobiles, off-highway motorcycles, and all-purpose vehicles, except that no person shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle as follows:
- (1) On any state highway, including a limited access highway or freeway or the right-of-way thereof, except for emergency travel during such time and in such manner as the Ohio Director of Public Safety designates or except as authorized by R.C. Section 4519.41(F);
 - (2) On any private property, or in any nursery or planting area, without the permission of the owner or other person having the right to possession of the property;
 - (3) On any land or waters controlled by the State, except at those locations where a sign has been posted permitting such operation;
 - (4) On the tracks or right-of-way of any operating railroad;
 - (5) While transporting any firearm, bow or other implement for hunting that is not unloaded and securely encased;
 - (6) For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl; or
 - (7) During the time from sunset to sunrise, unless displaying lighted lights as required by Ohio R.C. Section 4519.20 or a substantially equivalent municipal ordinance.
- (b) Whoever violates this section shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or imprisoned not less than 3 nor more than 30 days, or both.

is hereby amended to read as follows:

CODE APPLICATION; PROHIBITED OPERATION.

- (a) The applicable provisions of this traffic code apply to the operation of snowmobiles, off-highway motorcycles, and all-purpose vehicles, except that no person shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle as follows:
- (1) On any state highway, including a limited access highway or freeway or the right-of-way thereof, except for emergency travel during such time and in such manner as the Ohio Director of Public Safety designates or except as authorized by R.C. Section 4519.41(F);

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- (2) On any private property, or in any nursery or planting area, without the permission of the owner or other person having the right to possession of the property;
- (3) On any land or waters controlled by the State, except at those locations where a sign has been posted permitting such operation;
- (4) On the tracks or right-of-way of any operating railroad;
- (5) While transporting any firearm, bow or other implement for hunting that is not unloaded and securely encased;
- (6) For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl; or
- (7) During the time from sunset to sunrise, unless displaying lighted lights as required by Ohio R.C. Section 4519.20 or a substantially equivalent municipal ordinance.

(b) No person shall operate a self-propelled vehicle, slow moving vehicle, all-purpose vehicle, off-highway motorcycle or any unlicensed vehicle, in any Village park or upon any property owned or controlled by the Village. Vehicles excepted from this provision shall include public safety vehicles, vehicles and equipment used for maintenance and/or repair of public facilities, any vehicle or equipment used during a declared emergency, and any vehicle or equipment used with the permission or upon the request of the Village Chief of Police.

(c) Whoever violates this section shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or imprisoned not less than 3 nor more than 30 days, or both.

SECTION 2: This ordinance shall become effective at the earliest period authorized by law.



Brad Nicodemus, Mayor

DATE OF PASSAGE: 8-10-2020

EFFECTIVE DATE: 9-10-2020

ATTEST:



Brian Bibler, Fiscal Officer

SPONSOR: Keller

APPROVED AS TO FORM:



Jeffrey Feyko, Village Solicitor