

FIRST READING: 1.27.20
SECOND READING: 2.10.20
THIRD READING: 2.24.20

AMENDED ORDINANCE NO. 5-20

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 333.09 ENTITLED RECKLESS OPERATION ON STREETS, PUBLIC OR PRIVATE PROPERTY, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend Section 333.09 entitled Reckless Operation on Streets, Public or Private Property; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Codified Ordinances Section 333.09 be amended concerning the penalty and fine for violation of the section, as further described in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Section 333.09 of the Codified Ordinances of the City of Rocky River entitled "Reckless Operation on Streets, Public or Private Property" be amended as further described in the attached Exhibit "A".

SECTION 2. That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of public peace, health and safety, and for the further reason that the enhanced penalty is intended to further defer actions which affect the safety of other motorists, cyclists, and pedestrian traffic, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: February 24th, 2020

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: February 24th, 2020 APPROVED: February 24th, 2020

ATTEST:

A Susan G. Pease
SUSAN G. PEASE
Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 24th day of February, 2020.

A Susan G. Pease
Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 5-20 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 24th DAY OF February, 2020 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW, THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF ARE OF RECORD IN ORDINANCE RECORD NO. 5-20

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 24th DAY OF February, 2020.

A Susan G. Pease
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

Revised 1.30.20 – Ordinance No. 5-20

333.09 RECKLESS OPERATION ON STREETS, PUBLIC OR PRIVATE PROPERTY.

- (a) No person shall operate a vehicle on any street or highway without due regard for the safety of persons or property.
- (b) No person shall operate a vehicle on any public or private property other than streets or highways, without due regard for the safety of persons or property.
- (c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a fourth degree 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 third 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 second degree.

(Ord. 5-20; Passed 2/24/2020.)