

**BOARD OF TRUSTEES
BATAVIA TOWNSHIP, CLERMONT COUNTY, OHIO
RESOLUTION 06-01-2024**

RESOLUTION ADOPTING PARKING REGULATIONS

The Board of Trustees of Batavia Township, Clermont County, Ohio, met in regular session on June 4, 2024 at the Batavia Township Community Center with the following members present:

Rex Parsons
Randy Perry
James E. Sauls, Jr.

Trustee Sauls moved for the adoption of the following Resolution:

WHEREAS, the Board of Trustees has determined that access for fire & rescue vehicles and snow removal vehicles is necessary for the health, welfare, and safety of Township residents; and

WHEREAS, the public safety and welfare of the residents of Batavia Township would be best served by adopting a resolution that regulates parking on township streets.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of Batavia Township, Clermont County, Ohio:

Section 1. Pursuant to Ohio Revised Code Section 505.17 and Section 4511.07, vehicle parking regulations in the township are hereby established and adopted as set forth in attached Exhibit A.

Section 2. The streets so restricted shall be properly marked with signs conforming to Ohio Revised Code Section 4511.09.

Section 3. This Resolution shall take effect from and after the earliest time allowed by law.

Section 4. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

First Reading:	June 4, 2024
Second Reading:	Dispensed With

Trustee Perry seconded the Motion and roll being called upon its adoption the vote resulted as follows:

Mr. Parsons:	Yes
Mr. Perry	Yes
Mr. Sauls	Yes

Resolution 06-01-2024 was adopted June 4, 2024.

ATTEST:

Jennifer Haley
Jennifer Haley
Township Fiscal Officer

APPROVED AS TO FORM:

David J. Frey
David J. Frey
Township Law Director

CERTIFICATION

I, Jennifer Haley, Fiscal Officer, hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Batavia Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.

Jennifer Haley
Jennifer Haley
Fiscal Officer, Batavia Township

Batavia Township Parking Regulations

CHAPTER 1: SCOPE AND ADMINISTRATION

Section 101 General

101.1 Title. These regulations shall be known as the Batavia Township Parking Regulations, hereinafter referred to as “these regulations” or “the Township Parking Regulations”.

101.2 Repeal of Prior Parking Regulations. These regulations are enacted pursuant to Ohio Revised Code Section 505.17 and Section 4511.07 and repeal and replace all of the previously enacted resolutions of the Township pertaining to parking.

101.3 Scope. The provisions of these regulations shall apply to all vehicle parking in Batavia Township, including but not limited to, parking on any township street or highway, parking on established roadways proximate to buildings, and parking on private property as necessary to provide access to the property by public safety vehicles and equipment.

101.04 Intent. These regulations shall be construed to secure their expressed intent, which is to ensure public health, safety, and welfare insofar as they are affected by parked vehicles' impending travel.

101.05 Severability. If a section, subsection, sentence, clause, or phrase of these regulations are, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of these regulations.

Section 102 Applicability

102.01 General. The provisions of these regulations shall apply to all matters affecting or relating to parking in Batavia Township.

102.2 Existing remedies. The provisions of these regulations shall not be construed to abolish or impair existing remedies of the Township or its officers or agencies relating to the citation or removal of illegally or dangerously parked vehicles.

CHAPTER 2: DEFINITIONS

Section 201 General

201.1. Scope. Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meanings shown in this chapter.

201.2 Terms not defined. Where terms are not defined in these regulations, the usual customary definition shall apply.

Section 202 General Definitions

BICYCLE. A bicycle is a device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power upon which any person may ride having two tandem wheels, or one wheel in the front and two wheels in the rear, or two wheels in the front and one wheel in the rear, any of which is more than fourteen inches in diameter.

COMMERCIAL VEHICLE. A vehicle with the current state issued license plates attached with the designation "Truck" or "Commercial" or any vehicle, including a trailer, used for the hauling of any machinery, device, materials, or equipment in connection with a commercial enterprise, whether or not such vehicle is marked or identified by lettering, symbols or signs relating to such commercial purpose or enterprise or not having attached a state-issued license plate with the designation "truck" or "commercial vehicle".

DRIVER OR OPERATOR. A driver or operator is any person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.

DUMPSTER. Any container designed or used for the collection and hauling of waste or debris, including but not limited to roll-off containers or boxes and bin containers.

MOTORIZED BICYCLE. A motorized bicycle is any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled and is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.

MOVING VAN. A vehicle with an enclosed cargo space generally used for the moving of residential or commercial property from one location to another.

OWNER. An individual, firm, association, syndicate, partnership or corporation having any ownership interest in the land.

PARKING. "Parking," "parked," or "park" means the stopping or standing of vehicles, whether or not occupied, other than temporarily for the purpose of and while actively engaged in loading or unloading merchandise or passengers.

PERSON. An individual, firm, partnership, association, joint venture, corporation, trust, or any other legal entity, including his, her or its agents.

PORTABLE STORAGE UNIT (POD). Any container transported to a designated location for storage or moving purposes (typically known as

PODS, MODS, etc.).

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PROPERTY. Property has the same meaning as "premises" as that term is defined herein.

PUBLIC WAY. An alley, avenue, boulevard, bridge, channel, ditch easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or other ways in which the general public or a public entity has a right, or which are dedicated whether improved or not.

SEMI TRAILER. Semi trailer means every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

STREET OR ROAD. A public right-of-way which provides a public means of access to abutting property for motor vehicles.

TRAILER. Any vehicle without motor power designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle when formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, and a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than 25 miles per hour, except a house trailer and travel trailer.

VEHICLE. A vehicle is every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon "stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

TOWNSHIP. Refers to Batavia Township, Clermont County, Ohio

CHAPTER 3: STREET PARKING RESTRICTIONS

Sections 301 General Prohibitions

301.1. Street Parking Prohibitions. On any Township Street with a curb and gutter, parking is to be limited to the non-fire hydrant side of the roadway.

301.2 Cul-de-Sac Prohibition. Parking is prohibited in the cul-de-sac portion of any Township street.

301.3 Intersection Prohibitions. Parking is prohibited on both sides of any street at any point between zero (0) and thirty (30) feet from the end of the radius of an intersecting street.

301.4 Fire Station Prohibitions. Parking is prohibited on both sides of any street at any point between zero (0) and one hundred (100) feet from the driveway entrance/exit of a fire station.

301.5 Unpaved Rights-of-Way. Parking is prohibited on any unpaved portion of any right-of-way.

301.6 Moving Van/Commercial Vehicle/Trailer/Semi-trailer Parking Prohibitions. No moving van, commercial vehicle, trailer, or semitrailer shall be permitted to be parked along any Township street other than to load or unload. Trailers, and/or semi-trailers so parked for loading or unloading must be connected to a towing vehicle at all times. Loading and Unloading is limited to no more than two (2) consecutive days.

301.7 Portable Storage Unit (POD) and Dumpster Parking Prohibitions. No portable storage unit (POD) or dumpster shall be permitted to be parked on or along the right-of-way on any Township street other than to load or unload. Portable storage units (PODS) and dumpsters so parked for loading or unloading must be connected to a towing vehicle at all times. Loading and Unloading is limited to no more than two (2) consecutive days.

301.8 Seven (7) Day Parking Limitation. Parking of any vehicle is prohibited for longer than seven (7) days on any street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way for any street.

CHAPTER 4: FIRE LANE PARKING PROHIBITIONS

Section 401 General Prohibitions

401.1 Fire Lane Prohibitions. Parking is prohibited in any designated fire lane.

CHAPTER 5: SPECIAL EVENT/TEMPORARY PARKING PROHIBITIONS

Section 501 General Prohibitions

501.1 General Statement. The parking prohibitions set forth in this section have been established due to specific traffic hazards and safety concerns associated with temporary events and conditions. The Township shall post temporary “No Parking” signs in the affected areas at least twenty-four (24) hours in advance of such temporary events unless

such notice is not possible or practical given the nature of timing of the event.

501.2 Miscellaneous Temporary Parking Prohibitions. Parking is prohibited at any location and for any duration deemed necessary by the Township as a result of conditions, events, or activities that render parking hazardous or contrary to the public safety and welfare.

CHAPTER 6: ENFORCEMENT

Section 601 Unlawful Acts

601.1 Unlawful acts. It shall be unlawful for a person to be in conflict with or in violation of any of the provisions of these regulations.

Section 602 Penalties and Fines

602.1 Violation Penalties. Any person who violates any of these regulations or any regulation or order adopted pursuant to these regulations is guilty of a minor misdemeanor.

Section 603 Towing and Impoundment

603.1 Right to Tow/Impound Vehicles. The Township Administrator may order into storage and tow, or have towed, any vehicle parked in violation of these regulations. The owner or lien holder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be shown by a certificate of title to the vehicle, and payment of all expenses, charges, and fines incurred as a result of the parking violation and removal and storage of the vehicle.

Section 604 Abatement and other Lawful Remedies

604.1 Abatement of Violation. The imposition of the fines and penalties herein prescribed shall not preclude Batavia Township from instituting, by and through its law director, appropriate action to enjoin, restrain, correct, or abate a violation or to stop an illegal act.