

# **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 commercial vehicle is any vehicle, including a trailer, that either displays a current state-issued license plate with the designation “Truck,” “Commercial,” or “Apportioned,” or is used for the transportation of machinery, equipment, devices, or materials in connection with a commercial enterprise. This classification applies regardless of whether the vehicle is marked or identified with lettering, symbols, or signage indicating its commercial use.

**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.

**EMPLOYER-ISSUED COMMERCIAL VEHICLE.** A vehicle owned or leased by a commercial business and assigned to an employee for regular use, including commuting to and from their residence, where the vehicle is parked during non-working hours.

**GROSS VEHICLE WEIGHT RATING (GVWR).** The maximum operating weight of a vehicle as specified by the manufacturer, including the vehicle’s chassis, body, engine, fuel, accessories, driver, passengers, and cargo, but excluding any trailers. GVWR determines vehicle class and regulatory standards.

**HEAVY-DUTY VEHICLE.** A motor vehicle with a GVWR greater than 26,000 pounds, including tractor-trailers (semi-trucks), garbage trucks, cement mixers, construction vehicles, and other large industrial or fleet equipment. Heavy-duty vehicles are prohibited from residential parking areas unless actively engaged in construction or utility work and approved by the Township.

**LIGHT-DUTY VEHICLE.** A motor vehicle with a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less, designed primarily for the transportation of persons or light cargo. Includes passenger cars, SUVs, minivans, crossover vehicles, and most pickup trucks and service vans. These vehicles are typically used for personal use or low-impact commercial purposes.

**MEDIUM-DUTY VEHICLE.** A motor vehicle with a GVWR greater than 10,000 pounds and up to 26,000 pounds. This category includes larger commercial vans and trucks such as box trucks, delivery trucks, flatbeds, small dump trucks, and shuttle buses. These vehicles are generally not permitted for overnight residential parking due to their size and potential impact on neighborhood aesthetics and safety.

**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.

## **Section 302 Exemptions**

### **302.1 Purpose.**

This section establishes an exemption for certain commercial vehicles issued to employees by their employers for daily use, provided such vehicles are residentially appropriate and do not detract from the character or safety of the neighborhood.

### **302.2 Permitted Vehicles.**

An employer-issued commercial vehicle may be parked on the Township right-of-way, if it meets all of the following criteria:

- **A. Employer-Issued:** The vehicle is registered to a commercial business and issued to a township resident for daily use as part of their employment.
- **B. Government-Issued:** The vehicle is registered to a governmental entity and is issued to a township resident for daily use as part of their employment.
- **C. Size/Class:** The vehicle is classified as a light-duty vehicle with a GVWR not exceeding 10,000 lbs, and not exceeding:
  - 22 feet in length
  - 8 feet in height
  - 8 feet in width
- **D. Appearance:** The vehicle may display company logos but must be free of:
  - External commercial equipment (e.g., cranes, tanks, snow plows, ladders unless stored internally)

- Trailers, attachments, or protrusions beyond the vehicle body
- **E. Noise and Emissions:** The vehicle does not generate excessive noise, odors, or emissions inconsistent with residential use.
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### **302.3 Prohibited Vehicles.**

Employer-issued vehicles may not include:

- Dump trucks, box trucks, roll-off trucks
- Semi-tractors or combination truck-trailers
- Utility trucks with permanently affixed equipment (e.g., lift buckets, winches)
- Tow trucks or flatbed wreckers
- Heavy & Medium Duty Vehicles

### **302.4 Parking Requirements.**

Eligible vehicles must be:

- They must not block sidewalks, obstruct visibility within 30 feet of an intersection, or impede access for emergency vehicles.
- They must comply with all applicable state laws.

### **302.5 Review and Enforcement.**

The Township may investigate complaints or conduct inspections to determine compliance. If a vehicle violates the intent or provisions of this section, the Township may:

- Revoke the exemption for that property or vehicle
- Pursue remedies under Chapter 6 (Enforcement)

## **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.