

**VILLAGE OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2021-16**

**AN ORDINANCE ESTABLISHING A NO PARKING REGULATION AND  
AUTHORIZING NO PARKING SIGNAGE ON MCKINLEY STREET, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Rev. Code § 4511.07(A)(1) permits local municipalities to create laws “[r]egulating the stopping, standing, or parking of vehicles, trackless trolleys, and streetcars;”

**WHEREAS**, the Village previously established parking violations upon the adoption of the Ohio Basic Code in Ordinance No. 2021-02, specifically Ohio Basic Code § 76.04. Said Ordinance enforces parking violations as criminal offenses:

**WHEREAS**, Village staff has determined that on-street parking on certain segments of McKinley Street would impede visual to the amenities of Deerfield Heritage Park and hinder access to the park for the purpose of park maintenance;

**WHEREAS**, immediate action is required to assure safe access to the Deerfield Heritage Park and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of South Lebanon, at least two-thirds of all members elected thereto concurring:

**Section 1.** The Village Council does hereby establish a no parking regulation on both sides of the following public streets in the Village:

1. McKinley Street (North side) from Main Street east 132 feet; and
2. McKinley Street (South side) from Main Street east 118 feet.

**Section 2.** That the Village Council authorizes Village employees to install no parking signage on the public street segments listed in Section 1, and that said regulation shall be enforced pursuant to Ordinance 2021-02 and Ohio Basic Code § 76.04.

**Section 3.** The owner of a vehicle shall be entitled to establish nonliability for prosecution for violation of this Ordinance by proving the vehicle was in the care, custody, or control of a person other than the owner at the time of the violation

pursuant to a written rental or lease agreement or affidavit providing that except for such agreement, no other business relationship with respect to the vehicle in question exists between the operator and owner. Proof that the vehicle was in the care, custody, or control of a person other than the owner shall be established by sending a copy of such written rental or lease agreement or affidavit to the prosecuting authority within thirty days from the date of receipt by the owner of the notice of violation. The furnishing of a copy of a written rental or lease agreement or affidavit shall be prima-facie evidence that a vehicle was in the care, custody, or control of a person other than the owner.


**Section 4.** That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.


**Section 5.** That this Ordinance is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.

**Section 6.** That it is found and determined that all formal actions of the Council concerning and relating to passing this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

***REMAINDER OF PAGE LEFT BLANK INTENTIONALLY***

Adopted this \_\_\_ day of June, 2021.

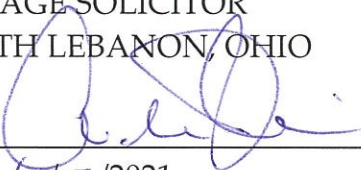
Attest:   
Petrina D. Williams, Fiscal Officer/Clerk

  
James D. Smith, Mayor

Rules Suspended: / /2021 (if applicable)	Effective Date – / /2021
Vote - <u>6</u> Yeas ___ Nays	
First Reading – / /2021	Effective Date – / /2021
Second Reading – / /2021	
Third Reading – / /2021	
Vote - ___ Yeas ___ Nays	

Prepared by and approved as to form:

ANDREW P. MEIER  
VILLAGE SOLICITOR  
SOUTH LEBANON, OHIO

By:   
Date: 6/17/2021