

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2021-37**

**AN ORDINANCE ESTABLISHING A NO PARKING REGULATION AND
AUTHORIZING NO PARKING FIRE LANE SIGNAGE THROUGHOUT THE
STONEBROOK SUBDIVISION**

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

WHEREAS, the City 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; and,

WHEREAS, the President of the Stone Brook Home Owners Association has requested the City install, “No Parking Fire Lane,” signs throughout the Stone Brook community, based on the width of the roads, type of vehicular traffic, and required access by emergency vehicles; and,

WHEREAS, the Hamilton Township Fire Chief recommends that parking in the Stone Brook community be limited to the standards recommended in the Ohio Fire Code; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Lebanon, at least a majority of all members elected thereto concurring:

Section 1. The City Council does hereby establish a no parking regulation on the fire hydrant side of the streets throughout the Stonebrook development, including the east side of Riverstone Drive, as listed in Exhibit “A”.

Section 2. That the City Council authorizes City employees to install “No Parking” signage on the fire hydrant side of the public streets listed in Exhibit “A”, including the east side of Riverstone Drive, 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

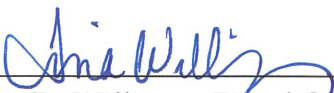
for such agreement, no other business relationship with respect to the vehicle in question exists between the operator and owner. Proof that the vehicle was in the care, custody, or control of a person other than the owner shall be established by sending a copy of such written rental or lease agreement 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 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.

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Adopted this 16th day of December, 2021.

Attest: 
Petrina D. Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: / /2021 (if applicable)

Effective Date - / /2021

Vote - ___ Yeas

___ Nays

First Reading - 11/18/2021

Effective Date - 1/16/2021
22

Second Reading - 12/2/2021

Third Reading - 12/16/2021

Vote - 4 Yeas

1 Nays

Prepared by and approved as to form:

ANDREW P. MEIER
SOLICITOR
SOUTH LEBANON, OHIO

By: 

Date: 12/16/2021

EXHIBIT "A"

STONE BROOK COMMUNITY

Street list

Bedle's Court

Commons Court

Creek Park Drive

Creekborough Court

Forest Edge Drive

Little Turtle Drive

Old Willow Court

Red Flower Lane

Riverstone Drive

Station Drive

Stone Brook Way

Stoney Path Court