

FIRST READING 12/11/2024
SECOND READING 12/30/2024
THIRD READING 01/15/2024

CITY OF STRUTHERS, OHIO
Ordinance

NO. 25-001

***AN ORDINANCE AMENDING § 351.16 OF THE STRUTHERS
CODIFIED ORDINANCES AND REPEALING ORDINANCE
NOS. 09-016, 20-034, AND/OR ANY OTHER ORDINANCE, OR
PART THEREOF, TO THE EXTENT THE SAME ARE
INCONSISTENT WITH THIS ORDINANCE.***

WHEREAS, on February 25, 2009, Council passed Ordinance No. 09-016 establishing § 351.16 of the City's Codified Ordinances generally prohibiting the parking of vehicles in front yard areas;

WHEREAS, on November 10, 2020, Council passed Ordinance No. 20-034 amending § 351.16 of the City's Codified Ordinances and repealing Ordinance No. 09-016 and/or any other ordinance, or part thereof, to the extent the same were inconsistent with Ordinance No. 20-034;

WHEREAS, § 351.16 of the City's Codified Ordinances currently provides as follows:

351.16 PARKING OF VEHICLES IN LAWNS, GRASS OR LANDSCAPED AREA PROHIBITED.

(a) No property owner or person to whom a motor vehicle is registered shall park, or allow to be parked, a motor vehicle upon any lawn, grass or landscaped area unless the area is connected with the driveway and is graded and has a hard surface of granulated material, asphalt, Portland cement, concrete, brick or decorative stone.

(b) The Safety Service Director may permit a motor vehicle to be parked in violation of (a) of this section for moving to or from a residence, for family gatherings, when the vehicle is an emergency vehicle being used during an emergency, and when the vehicle is a construction vehicle being used for remodeling or repair work at the property. Exemptions may be granted only after the Safety Service Director or Code Enforcement Director personally inspects said residence.

(c) Penalty under Section 351.99 will apply to violators

WHEREAS, Council finds that it is necessary to amend § 351.16 of the City's Codified Ordinances to include recreational vehicles and boats in the prohibition against being parked in lawns, grass, or landscaped areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Struthers, Ohio,

¾'s of all members elected thereto concurring:

SECTION 1: § 351.16 of the City's Codified Ordinances is hereby amended to read as follows:

351.16 PARKING OF MOTOR VEHICLES, RECREATIONAL VEHICLES, AND BOATS IN LAWNS, GRASS OR LANDSCAPED AREA PROHIBITED.

(a) Definitions.

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(i) "Boat" means any vessel, with or without motor propulsion, commonly used for private recreation activities, designed for travel over water, and for which a trailer is required for transportation over land. The definition of boat shall specifically include a personal watercraft as defined by the Ohio Revised Code and shall specifically exclude those vessels not required to be titled with the State of Ohio pursuant to state statute.

(ii) "Fifth Wheel Trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

(iii) "Motor Home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

(iv) "Motor Vehicle" means everything on wheels or runners, excluding Recreational Vehicles, that is propelled or drawn by power other than muscular power.

(v) "Park Trailer" means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard A 119.5(1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

(vi) "Recreational Vehicle" means a vehicular portable structure that meets all of the following conditions:

- (A) It is designed for the sole purpose of recreational travel.
- (B) It is not used for the purpose of engaging in business for profit.
- (C) It is not used for the purpose of engaging in intrastate commerce.
- (D) It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.
- (E) It is not regulated by the public utilities commission pursuant to Chapter 4905., 4921., or 4923. of the Revised Code.

(F) It is classed as one of the following:

- (1) Travel Trailer or House Vehicle
- (2) Motor Home
- (3) Truck Camper
- (4) Fifth Wheel Trailer
- (5) Park Trailer

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(vii) "Travel Trailer" or "House Vehicle" means a nonself-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.

(viii) "Truck Camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

(b) No property owner or person to whom a Motor Vehicle, Recreational Vehicle, or Boat is registered shall park, or allow to be parked, a Motor Vehicle, Recreational Vehicle, or Boat upon any lawn, grass or landscaped area unless the area is connected with the driveway and is graded and has a hard surface of granulated material, asphalt, Portland cement, concrete, brick or decorative stone.

(c) Exceptions.

(i) A Motor Vehicle may be parked in violation of (b) of this section for moving to or from a residence, for family gatherings, when the vehicle is an emergency vehicle being used during an emergency, and when the vehicle is a construction vehicle being used for remodeling or repair work at the property.

(ii) A Recreational Vehicle or Boat may be parked in violation of (b) of this section for no more than three (3) hours for loading and unloading only.

(d) Penalty under Section 351.99 will apply to violators

SECTION 2: Ordinance No. 09-016, Ordinance No. 20-034, and any other ordinance, or part thereof, that are inconsistent with the provisions of this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

SECTION 3: The provisions of this Ordinance are severable. If any section, paragraph, sentence, or clause hereof shall be declared illegal, unconstitutional or invalid by any court of competent jurisdiction, such illegality, unconstitutionality or invalidity shall not affect the remaining portions of this ordinance and it hereby is declared the intention and purpose of this Council that this Ordinance would have been enacted without such illegal, unconstitutional or invalid provision.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.

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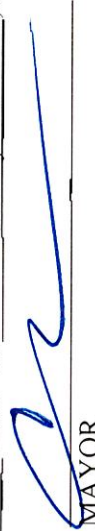
NO. 25-001

PASSED IN COUNCIL THIS 15th DAY OF January, 2025.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 15th DAY OF January, 2025.

CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 15th DAY OF January, 2025.

MAYOR

POSTED ON STRUTHERS CITY WEBSITE & STRUTHERS SOCIAL MEDIA

DATE: January 16, 2025

CLERK OF COUNCIL

Save: Lawn Parking 2025 Revised