

NOTICE

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TITLE EIGHT – PARKING

CHAPTER 452 PARKING GENERALLY

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CROSS REFERENCES

- See section histories for similar state law
- Parking defined – see TRAFFIC, Section 402.22
- Stop defined – see TRAFFIC, Section 402.40
- Stopping and standing defined – see TRAFFIC, Section 402.42
- Impounding; redemption – see TRAFFIC, Section 404.06 et seq.
- Abandoned junk motor vehicles – see TRAFFIC, Section 404.10 et seq.
- Removal of vehicles from streets under construction – see TRAFFIC, Section 404.16
- Penalty and waiver for parking violations – see TRAFFIC, Section 408.03
- Parking near stopped fire apparatus – see TRAFFIC, Section 432.25
- Lights on parked or stopped vehicles – see TRAFFIC, Section 438.09
- Police may remove ignition key from unattended vehicle – see TRAFFIC, Section 444.01
- Stopping in bus loading zones – see TRAFFIC, Section 446.02
- Parking of bicycles – see TRAFFIC, Section 474.07
- Parking in fire lanes on private property – see FIRE PREVENTION, Section 1501.08

SECTION 452.01 PROHIBITION AGAINST PARKING ON STREETS OR HIGHWAYS.

Upon any street or highway outside a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the street or highway if it is practicable to stop, park or so leave such vehicle off the paved or main traveled part of such street or highway. In every event, a clear and unobstructed portion of the street or highway opposite such standing vehicle shall be left for the free passage of other vehicles, and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such street or highway.

This section does not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a street or highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position. (O.R.C. 4511.66)

Penalty and waiver – See Sections 408.01 and 408.03.

SECTION 452.02 POLICE MAY REMOVE ILLEGALLY PARKED VEHICLE.

(a) Whenever any police officer finds a vehicle standing upon a street or highway in violation of Section 452.01, he may move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such street or highway.

(b) Whenever any police officer finds a vehicle unattended upon any street, bridge or causeway, or in any tunnel, where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle to the nearest garage or other place of safety. (O.R.C. 4511.67)

SECTION 452.03 PROHIBITED STOPPING, STANDING OR PARKING PLACES.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (a) On a sidewalk, except a bicycle;
- (b) In front of a public or private driveway or alley. In front shall include the area within five (5) feet of the driveway or alley width projected to the curb line or roadway edge, or the point along the curb or roadway edge where the driveway or alley mouth intersects, whichever is greater;
- (c) Within an intersection;

- (d) Within ten (10) feet in either direction along the curb or edge of the road or street from a point along said road or street nearest to a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty (20) feet of a crosswalk at an intersection;
- (g) Within thirty (30) feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (h) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;
- (i) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (j) Within twenty (20) feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five (75) feet of the entrance when it is properly posted with signs;
- (k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (l) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;
- (n) At any place where signs prohibit stopping, standing or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs;
- (o) Within one (1) foot of another parked vehicle;
- (p) On the roadway portion of a freeway, expressway or thruway (O.R.C. 4511.68);
- (q) In any public park between the hours of 12:00 midnight and 6:00 a.m.;
- (r) At any place on any street in the City for a period of time longer than seventy-two (72) hours, including Sundays and holidays;
- (s) On any property leased or owned by the City which is adjacent to any firehouse or fire station, except vehicles owned or operated by City firemen

while on official business and except those areas of such property designated as public parking areas;

- (t) In any street or alley when such parking obstructs the traveled way in such manner as to prevent the passage of other vehicles.
- (u) In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left hand side of or within the area dividing the separate roadways unless signs are installed to permit such parking or standing.
- (v) On a sidewalk, tree lawn area or a curb of a street except when entering or leaving a permanent or temporary driveway or when lawfully authorized (Cross Reference: 432.22).

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.04 MANNER OF PARALLEL PARKING; HANDICAPPED PARKING.

(a) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the curb side wheels of such vehicle parallel with and not more than twelve (12) inches from the curb, unless it is impossible to approach so close to the curb; in such case, the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.

(b) No vehicle shall be stopped or parked on a road or street with the vehicle facing in a direction other than the direction of travel on that side of the road or street.

(c) Notwithstanding any provision of this Code, air compressors, tractors, trucks and other equipment, while being used in the construction, reconstruction, installation, repair or removal of facilities near, on, over or under a street, may stop, stand or park where necessary in order to perform such work, provided a flagman is on duty, or warning signs or lights are displayed as may be prescribed by the State.

(d) Special parking locations and privileges for the handicapped shall be provided and designated by the Municipality and all agencies and instrumentalities thereof at all offices and facilities where parking is provided, whether owned, rented or leased, and at all publicly owned parking garages. Such locations shall be reasonably close to exits, entrances, elevators and ramps.

(e) No person shall stop, stand or park any motor vehicle at special parking locations provided for the handicapped under this Section, or at special, clearly marked,

parking locations provided for the handicapped or in or on privately owned parking lots, parking garages or other parking areas, unless the motor vehicle is displaying a parking card issued under O.R.C. 4503.44 or is being operated by or for the transport of a handicapped person and is displaying the special license plates authorized by that section.

(f) When a motor vehicle bearing the special handicapped license plate provided in O.R.C. 4503.105 is being operated by or for the transport of a handicapped person, the motor vehicle shall be permitted to be parked for a period of two hours in excess of the legal parking period permitted by the Municipality, its agencies and instrumentalities, except where a local ordinance or police regulation provides otherwise, or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(g) As used in this Section, "handicapped" means having lost the use of one or both legs, one or both arms, or any combination thereof, or being blind or deaf or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair.

Penalty – see Sections 408.01, 408.02 and 452.13.

SECTION 452.05 MANNER OF ANGLE PARKING.

Upon streets where angle parking is permitted, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway as is indicated by appropriate signs or markings.

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.06 UNATTENDED VEHICLES; DUTY TO LOCK IGNITION, REMOVE KEY, SET BRAKE, ETC.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the parking brake and, when the motor vehicle is standing upon any grade, turning the front wheels to the curb or side of the highway. (O.R.C. 4511.661)

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.07 OPENING DOORS ON SIDE AVAILABLE TO TRAFFIC.

No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (O.R.C. 4511.70)

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.08 SELLING OR REPAIRING VEHICLE UPON ROADWAY.

No person shall stop, stand or park a vehicle upon any roadway for the principal purpose of:

- (a) Displaying such vehicle for sale;
- (b) Greasing or repairing such vehicle except repairs necessitated by an emergency.

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.09 TRUCK LOADING ZONES.

No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a truck loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.10 BUS STOPS AND TAXICAB STANDS.

(a) No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately posted, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone, and then only for a period not to exceed three (3) minutes, if such stopping is not prohibited therein by posted signs. The City Traffic Engineer is authorized to designate the location of bus stops and taxicab stands.

(b) The operator of a bus shall not stop, stand or park such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop so designated and posted as such, except in case of an emergency.

(c) The operator of a bus shall enter a bus stop on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(d) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated and posted as such. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

Penalty and waiver – see Sections 408.01 and 408.03.

SECTION 452.11 PARKING OF OVERSIZED OR COMMERCIAL VEHICLES.

(a) Except as otherwise provided in Subsection (c) hereof, no commercial tractor, pole trailer, semitrailer, trailer or other commercial vehicle, or combination thereof, that exceeds twenty-two (22) feet in total length, or eighty-four (84) inches in width, or eighty-four (84) inches in height shall park on a public street or roadway for more than one (1) hour except for the purpose of loading or unloading, for emergency repairs, or if it is a temporarily disabled vehicle.

(b) Any commercial tractor pole trailer, semitrailer, trailer or other commercial vehicle, or combination thereof, parked in violation of this Section may be impounded by a police officer of the City.

(c) No person shall park, stop or stand a commercial tractor, agricultural tractor, commercial truck of more than one-half ton capacity, bus, trailer, semitrailer, pull trailer or moving van on any street within a residential district of the City, whether or not temporarily to load or unload, commencing at any time during the period from 10:00 o'clock p.m. until 7:00 o'clock a.m. the following morning. No person shall park a school bus on any street in such a district within those hours, but this shall not bar temporary stopping of such buses when actually loading or unloading students.

(d) No trailer, boat, cargo, vehicles or a combination thereof exceeding twenty-two (22) feet in total length or eighty-four (84) inches in width or eighty-four (84) inches in height shall park on a public street or roadway for more than one hour; except for the purpose of loading or unloading, for emergency repairs, or if it is temporarily a disabled vehicle but in no event to exceed eight (8) hours. A trailer, boat, cargo or vehicle in violation of this Subsection (d) may be impounded by a police officer of the City.

Penalty and waiver – see Sections 408.01 and 408.03.

SECTIONS 452.12 REMOVAL OF VEHICLES FROM STREETS DURING PERIODS OF EMERGENCY

Whenever, in the opinion of the City Manager, there is an actual or threatened local emergency such as riot, fire, flood, other acts of God (except snowfalls, since parking in snow emergencies is the subject of Section 452.12.1 immediately below), common disaster or acts of the enemy, the City Manager may require the removal of motor vehicles parked

upon the affected streets of the City. The City Manager shall inform the public of the aforementioned conditions through reasonable and usual methods of communication. If the owner or operator of the vehicle does not remove it within a reasonable time, the vehicle may be removed by the Police Department.

SECTION 452.12.1 SNOW EMERGENCY; REMOVAL OF VEHICLES.

(a) The City Manager shall have authority to declare a snow emergency when snowfall endangers or threatens to endanger the health, safety or welfare of persons or property.

(b) If the City Manager declares a snow emergency, the City shall give notice of the declaration by notifying the local offices of the same television and radio stations used to announce weather related closings of the Kettering school system. When a snow emergency is declared, the following parking restrictions shall apply:

- (1) On even numbered dates, parking is prohibited on the side of each street with even numbered street addresses. On odd numbered dates, parking is prohibited on the other side of each street, i.e. the side with odd numbered street addresses. No parking is allowed on any cul-de-sac on even numbered dates, regardless of street address number.
- (2) The City may provide for removal of any vehicle parked in violation of the restrictions that apply during a snow emergency.
- (3) No vehicle shall be removed, however, until one hour has passed after declaration of a snow emergency.
- (4) The City shall make reasonable efforts to notify the owner of a vehicle that it is subject to removal.

SECTION 452.13 REGISTERED OWNER PRIMA FACIE LIABLE FOR UNLAWFUL PARKING

In any hearing on a charge of illegally parking a motor vehicle, testimony that a vehicle bearing a certain license plate was found unlawfully parked as prohibited by the provisions of this Traffic Code, and further testimony that the record of the Ohio Registrar of Motor Vehicles shows that the license plate was issued to the defendant, shall be prima facie evidence that the vehicle which was unlawfully parked was so parked by the defendant. A certified registration copy, showing such fact, from the Registrar shall be proof of such ownership.

Legislative History: Ord. 42; passed 10-1-53. Ord. 42B-56; passed 4-2-56. Ord. 943-62; passed 1-23-62. Ord. 980-62; passed 6-12-62. Ord. 1715-67; passed 12-12-67. Ord. 2383-

72; passed 3/28/72. Ord. 2437-72; passed 12/12/72. Ord. 2542-74; passed 1/22/74. Ord. 2547-74; passed 2/26/74. Ord. 2997-82; passed 2/9/82. Ord. 3049-83; passed 3/16/83. Ord. 3243-86; passed 10/14/86. Ord. 3463-90; passed 10/9/90. Ord. 3562-92; passed 7/28/92. Ord. 3581-92; passed 11/10/92. Ord. 3592-93; passed 2/23/93. Ord. 3652-94; passed 10/11/94. Ord. 3712-96; passed 5/14/96. Ord. 3938-03; passed 3/4/03.