



# CITY OF KETTERING

PEGGY LEHNER, MAYOR • JACQUE FISHER, VICE MAYOR  
BRUCE E. DUKE • LISA DUVALL • TONY KLEPACZ • JYL HALL • BOB SCOTT

## KETTERING COUNCIL AGENDA

May 24, 2022

Kettering Government Center – South Building  
3600 Shroyer Rd. Kettering, Ohio 45429

6:00 P.M.      **WORKSHOP**    Deeds Room  
7:30 P.M.      **REGULAR MEETING**    Council Chambers

### PRESENTATION OF THE COLORS

### PLEDGE OF ALLEGIANCE

### INVOCATION

### APPROVAL OF MINUTES

May 10, 2022- Council Meeting & Workshop Minutes

### PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSION

### PUBLIC HEARINGS

### PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

### ORDINANCES IN SECOND READING

1. To rezone 2001 East Dorothy Lane from Economic Development Overlay District No. 14 to B-Business District (Planning Commission Case No. PC 22-005).

### RESOLUTIONS

2. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for remodeling of the Charles I. Lathrem Center at the Kettering Recreation Complex.
3. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the installation of security cameras around the exterior of the Kettering Recreation Complex.
4. Authorizing the City Manager to enter into a cost-sharing agreement with the Board of Education of the Kettering City School District for the Safety Section Program for the 2022-2023 school year.
5. Authorizing the City Manager to enter into agreements with the Ohio Department of Transportation (ODOT) to allow the City of Kettering to serve as responsible lead agency for administration of the Woodman Drive Resurfacing-Wilmington Pike to Stocker (City Project No. 02-106V; ODOT Project MOT-Woodman Drive Resurfacing, PID 116890).
6. Authorizing the City Manager to enter into agreements with the Ohio Department of Transportation (ODOT) to allow the City of Kettering to serve as responsible lead agency for administration of the Wilmington Pike Resurfacing-East Stroop to Beaverton (City Project No. 02-108PA; ODOT Project MOT-Wilmington Pike Resurfacing, PID 116893).
7. Authorizing the City Manager to enter into agreements with the Ohio Department of Transportation (ODOT) to allow the City of Kettering to serve as responsible lead agency for administration of the Marshall Road Improvements-East David to Wilmington (City Project No. 02-120i; ODOT Project MOT-Marshall Road Improvements, PID 116891).

- 8. To amend Resolution No. 10645-21 and allow grant funds to be expended on landscape design.
- 9. Approving participation in the Region 8 Governance Structure under the OneOhio Memorandum of Understanding.

**ORDINANCES IN FIRST READING**

- 10. To amend Section 476.03 of the Codified Ordinances regarding operation of snowmobiles and all purpose vehicles and declaring an emergency.

**CERTIFICATIONS AND PETITIONS**

**MANAGER'S REPORT/COMMUNITY UPDATE**

**OTHER BUSINESS NOT ON WRITTEN AGENDA**

Audience Participation (5 Minute Limit per Speaker)

**CITY COUNCIL REPORT/UPDATE**

*The City of Kettering wishes to make certain that all citizens have the opportunity to actively participate in their local government. If you have a disability and require accommodations to participate in a Council meeting, please contact the Clerk of Council at 296-2416 so that reasonable modifications can be made.*

**KETTERING CITY CALENDAR**  
**2022**

May 23	7:30 p.m.	Sister Cities
May 24	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
May 30	All Day	Government Center Closed
June 2	1:00 p.m. 4:00 p.m.	Special Council Workshop Parks, Recreation and Cultural Arts Advisory Board
June 6	7:00 p.m.	Planning Commission
June 7	1:00 p.m.	Special Council Workshop
June 13	7:00 p.m.	Board of Zoning Appeals
June 14	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO REZONE 2001 EAST DOROTHY LANE FROM ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 14 TO B-BUSINESS DISTRICT (PLANNING COMMISSION CASE NO. PC 22-005)**

WHEREAS, on April 4, 2022 after publication and issuance of notice as required by the City of Kettering Zoning Code, a public hearing was conducted by the City of Kettering Planning Commission concerning an application to rezone a parcel of land located at 2001 East Dorothy Lane (consisting of Lot 22 of the Replat of Lot 19 of the Woodman/Dorothy Business Center Section One as recorded in Plat Book 168, Pages 48 and 48A and recorded in Plat Book 175, Page 19 of the Montgomery County, Ohio Plat Records) (the "Property") from Economic Development Overlay District No. 14 to B- Business District; and

WHEREAS, the Planning Commission recommended approval of the proposed zoning change; and

WHEREAS, on April 26, 2022, after publication and issuance of notice as required by the Zoning Code, this City Council held a public hearing with evidence presented by the Planning and Development Department along with the recommendation of the Planning Commission to approve the application, and all parties were afforded the opportunity to be heard and present evidence in support of their positions;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, Ohio, that:

Section 1. Having considered the staff report(s) and recommendation of the Planning Commission, the criteria set forth in Sections 1153.12.9, Consistency, through 1153.12.15, Other Factors, of Chapter 1153 of the Zoning Code, the testimony and evidence presented at the public hearing, sound planning and zoning practices, the City's adopted plans, goals, and policies, the intent of the Kettering Zoning Code, and the public health, safety and welfare requirements underlying the Zoning Code, City Council finds that the application for rezoning should be approved.

Section 2. Based on the foregoing, the Property is rezoned from Economic Development Overlay District No. 14 to B- Business District.

Section 3. As appropriate and necessary, the official Zoning Map of the City of Kettering, Ohio is hereby revised and amended to reflect the zone change(s) referred to in Section 2 above; and Section 1133.02 of the Kettering Codified Ordinances, which adopts the Zoning Map by reference, is hereby reenacted effective as of the first effective date of this Ordinance so as to include the map revision in the Zoning Code. The Director of the Planning and Development Department is directed to make such appropriate revisions on the official Zoning Map of the City.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR REMODELING OF THE CHARLES I. LATHREM CENTER  
AT THE KETTERING RECREATION COMPLEX**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for remodeling of the Charles I. Lathrem Center at the Kettering Recreation Complex. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$213,500.00  
Amount Budgeted: \$213,500.00  
Acct. No.: 8244-77750

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE INSTALLATION OF SECURITY CAMERAS AROUND THE EXTERIOR OF THE KETTERING RECREATION COMPLEX**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for the installation of security cameras around the exterior of the Kettering Recreation Complex. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$45,000.00  
Amount Budgeted: \$45,000.00  
Acct. No.: 6600-77720

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
COST-SHARING AGREEMENT WITH THE BOARD OF  
EDUCATION OF THE KETTERING CITY SCHOOL DISTRICT  
FOR THE SAFETY SECTION PROGRAM FOR THE 2022-2023  
SCHOOL YEAR**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. The City Manager is hereby authorized to enter into an agreement with the Board of Education of the Kettering City School District to share the cost of maintaining the Engineering Department's Safety Section Program for adult crossing guards and safe route monitoring for elementary school areas and elementary students for the 2022-2023 school year. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE WOODMAN DRIVE RESURFACING – WILMINGTON PIKE TO STOCKER (CITY PROJECT NO. 02-106V; ODOT PROJECT MOT-WOODMAN DRIVE RESURFACING, PID 116890)**

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the following listed project is a transportation activity eligible to receive federal/state funding:

- a. Woodman Drive Resurfacing – Wilmington Pike to Stocker (City Project No. 02-106V; ODOT Project MOT-Woodman Drive Resurfacing, PID 116890)

WHEREAS, the City of Kettering has received funding approval for the project listed above from the program manager having responsibility for the federal/state funds involved; and

WHEREAS, it is the mutual desire of ODOT and the City of Kettering to have the City of Kettering serve as the responsible lead agency for administration of the project;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. This Council hereby authorizes the City Manager, on behalf of the City, to enter into one or more agreements with ODOT to allow the City of Kettering to serve as the responsible lead agency for administration of the Woodman Drive Resurfacing – Wilmington Pike to Stocker (City Project No. 02-106V; ODOT Project MOT-Woodman Drive Resurfacing, PID 116890). The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE WILMINGTON PIKE RESURFACING – EAST STROOP TO BEAVERTON (CITY PROJECT NO. 02-108PA; ODOT PROJECT MOT-WILMINGTON PIKE RESURFACING, PID 116893)**

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the following listed project is a transportation activity eligible to receive federal/state funding:

- a. Wilmington Pike Resurfacing – East Stroop to Beaverton (City Project No. 02-108PA; ODOT Project MOT-Wilmington Pike Resurfacing, PID 116893)

WHEREAS, the City of Kettering has received funding approval for the project listed above from the program manager having responsibility for the federal/state funds involved; and

WHEREAS, it is the mutual desire of ODOT and the City of Kettering to have the City of Kettering serve as the responsible lead agency for administration of the project;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. This Council hereby authorizes the City Manager, on behalf of the City, to enter into one or more agreements with ODOT to allow the City of Kettering to serve as the responsible lead agency for administration of the Wilmington Pike Resurfacing – East Stroop to Beaverton (City Project No. 02-108PA; ODOT Project MOT-Wilmington Pike Resurfacing, PID 116893). The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Engineering Department)



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE MARSHALL ROAD IMPROVEMENTS – EAST DAVID TO WILMINGTON (CITY PROJECT NO. 02-120i; ODOT PROJECT MOT-MARSHALL ROAD IMPROVEMENTS, PID 116891)**

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, the following listed project is a transportation activity eligible to receive federal/state funding:

- a. Marshall Road Improvements – East David to Wilmington (City Project 02-120i; ODOT Project MOT-Marshall Road Improvements, PID 116891)

WHEREAS, the City of Kettering has received funding approval for the project listed above from the program manager having responsibility for the federal/state funds involved; and

WHEREAS, it is the mutual desire of ODOT and the City of Kettering to have the City of Kettering serve as the responsible lead agency for administration of the project;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. This Council hereby authorizes the City Manager, on behalf of the City, to enter into one or more agreements with ODOT to allow the City of Kettering to serve as the responsible lead agency for administration of the Marshall Road Improvements – East David to Wilmington (City Project 02-120i; ODOT Project MOT-Marshall Road Improvements, PID 116891). The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO AMEND RESOLUTION NO. 10645-21 AND  
ALLOW GRANT FUNDS TO BE EXPENDED ON  
LANDSCAPE DESIGN**

WHEREAS, Resolution No. 10645-21 authorized the City Manager to accept a grant from the Kettering Parks Foundation for new furniture, fixtures, and equipment at Rosewood Arts Centre; and

WHEREAS, an amendment is necessary to expand the authorized use of grant funds to include landscape design;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Resolution No. 10645-21 is amended to allow grant funds to be expended on landscape design in addition to furniture, fixtures, and equipment.

Section 2. In all other respects, Resolution No. 10645-21 shall remain in full force and effect.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

APPROVING PARTICIPATION IN THE REGION 8 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING

WHEREAS, the City of Kettering, is a Local Government that has adopted and approved The OneOhio Memorandum of Understanding ("The Memorandum"), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a Statewide Foundation; and

WHEREAS, Kettering is a participant in Region 8 as established by The Memorandum; and

WHEREAS, pursuant to The Memorandum, each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide OneOhio Recovery Foundation, Inc. Board and selection of projects to be funded from the Region's regional share; and

WHEREAS, Regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire Region; and

WHEREAS, it is found that the regional governance structure in Region 8 will consist of a 12-member board of the individuals and organizations identified as community stakeholders for the Community Overdose Action Team as well as Local Governments & Businesses including representatives from:

- Region's Largest Municipality (two representatives);
Another City, as identified by the Greater Dayton Mayors and Managers Association;
Township, as identified by the Montgomery County Township Association;
Village, as identified by the Village most affected by overdose deaths;
Montgomery County Commissioner;
Dayton Area Chamber of Commerce;
Montgomery County Alcohol, Drug Addiction & Mental Health Services;
Public Health - Dayton & Montgomery County;
Criminal Justice Council;
Greater Dayton Area Hospital Association; and
Individual with Lived Experience, as identified by the Community Overdose Action Team Backbone Support;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Subject to and effective upon the concurrence of a majority of local governments (counties, cities, villages, townships) in Region 8, this City Council hereby approves and enters into the regional governance agreement, and supports the designated Region 8 Representative appointed to the OneOhio Recovery Foundation, Inc. Board.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI, Clerk of Council

THEODORE A. HAMER III, Law Director

**CITY OF KETTERING, OHIO**  
**AN EMERGENCY ORDINANCE**

By:

No.

**TO AMEND SECTION 476.03 OF THE CODIFIED  
ORDINANCES REGARDING OPERATION OF  
SNOWMOBILES AND ALL PURPOSE VEHICLES  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio General Assembly enacted a statewide uniform firearms law which provided that municipalities could not adopt firearm regulations in conflict with those contained in the Ohio Revised Code; and

**WHEREAS**, the Ohio Supreme Court ruled that it was not a violation of Ohio's home rule provisions for the Ohio General Assembly to prohibit municipalities from enacting their own ordinances regulating firearm possession and sale that are in conflict with the firearm regulations enacted by the Ohio General Assembly in the Ohio Revised Code; and

**WHEREAS**, it is necessary to reconcile Codified Ordinance Section 476.03 with the Ohio Revised Code concerning the regulation of firearms;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, State of Ohio, at least five of the members concurring, that:

**Section 1.** Sections 476.03 of the Codified Ordinances is amended and renumbered to read as set forth in Exhibit A, attached hereto and incorporated herein.

**Section 2.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety, which shall be effective upon passage, in order to conform, as soon as possible, the Codified Ordinances concerning firearms to the Ohio Revised Code. Therefore, this Ordinance shall become and be effective immediately upon its passage.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Law Department)

Key to Proposed Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

EXHIBIT A

476.03 CODE APPLICATION; PROHIBITED OPERATION.

(a) The applicable provisions of this Traffic Code shall be applied to the operation of snowmobiles and all purpose vehicles, except that no snowmobile or all purpose vehicle shall be operated as follows:

[Existing language unaffected by the amendments is omitted to conserve space]

~~(5) While transporting any firearm, bow or other implement for hunting, that is not unloaded and securely encased;~~

~~(5)(6)~~ For the purpose of chasing, pursuing, capturing or killing any animal or wild fowl; or

~~(6)(7)~~ During the time from one-half hour after sunset to one-half hour before sunrise, unless displaying lighted lights as required by Section 476.02.

[Existing language unaffected by the amendments is omitted to conserve space]