

CITY OF CLAYTON

ORDINANCE NO. O – 02 – 26 – 01

AN ORDINANCE AMENDING CLAYTON CODIFIED ORDINANCE 351.011 TO ADD A GRADUATED PENALTY STRUCTURE FOR SNOW EMERGENCY PARKING VIOLATIONS AND TO CLARIFY ENFORCEMENT BY CITATION AND/OR TOWING; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Clayton Codified Ordinance (“COC”) 351.011 currently prohibits parking on City streets during a declared snow emergency and authorizes the towing of vehicles in violation of that prohibition; and

WHEREAS, A snow emergency shall exist when two or more inches of snow have fallen in the City of Clayton or in a section thereof; and

WHEREAS, City Council finds that towing alone, while necessary in some circumstances to remove immediate impediments to snow and ice operations, does not provide a citation structure that supports efficient enforcement and deters repeat violations; and

WHEREAS, the City Manager and Police Chief have recommended adoption of an additional penalty subsection establishing graduated penalties for repeat violations within a one-year period, and clarifying that an officer may issue a citation in addition to, or in lieu of, towing when appropriate; and

WHEREAS, City Council finds that these amendments will improve compliance with snow emergency parking restrictions, enhance public safety, and support the Service Department’s ability to safely and effectively clear roadways during snow emergencies; and

WHEREAS, all formal actions and deliberations of Council regarding this Ordinance have been conducted in open meetings in compliance with applicable legal requirements;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, OHIO:

SECTION 1. Amendment of COC 351.011 (Snow Emergency Parking Restrictions).

COC 351.011 is hereby amended to read as follows (new provisions included within the text below):

351.011 SNOW EMERGENCY PARKING RESTRICTIONS.

(a) Declaration of Snow Emergency.

When a snow emergency is declared for the City by the City Manager (or the City Manager’s designee) due to snow, ice, or other winter weather conditions, the snow emergency shall remain in effect until terminated by the City Manager (or designee). A snow emergency shall exist when two or more inches of snow have fallen in the City of Clayton or in a section thereof.

(b) Prohibited Parking During Snow Emergency.

During a declared snow emergency, no person shall park, stop, or leave any vehicle standing on any public street or right-of-way within the City for the duration of the snow emergency, except as otherwise expressly authorized by the City for emergency response, public safety, or snow and ice operations.

(c) Enforcement; Citation; Removal and Impound.

(1) A police officer or other authorized enforcement official may enforce this section by issuing a citation for a violation.

(2) In addition to, or in lieu of, issuing a citation, a police officer may cause the removal and impound of any vehicle parked, stopped, or left standing in violation of this section when the vehicle poses an immediate impediment to snow removal operations, emergency response, or public safety, or when removal is otherwise reasonably necessary to effectuate the purposes of this section.

(3) All towing, storage, and administrative costs associated with removal and impound under this section shall be the responsibility of the vehicle owner and/or operator, as permitted by law.

(d) Penalty; Graduated Offenses.

(1) A violation of this section is a **minor misdemeanor**.

(2) If, **within one (1) year of the offense**, the offender previously has been convicted of or pleaded guilty to **one (1) violation** of this section, a violation of this section is a **misdemeanor of the fourth degree**.

(3) If, **within one (1) year of the offense**, the offender previously has been convicted of or pleaded guilty to **two (2) or more violations** of this section, a violation of this section is a **misdemeanor of the third degree**.

(4) The applicable penalties for minor misdemeanors and misdemeanors of the third and fourth degree shall be as provided in Ohio law, including R.C. 2929.24 and R.C. 2929.28, as may be amended.

SECTION 2. Severability.

If any provision of this Ordinance or its application to any person or circumstance is determined to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 3. Repealer.

All ordinances and resolutions, or parts thereof, that are inconsistent with this Ordinance are repealed only to the extent of the inconsistency.

SECTION 4. Effective Date.

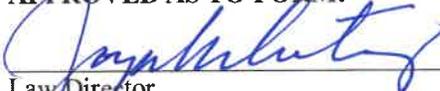
This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ATTEST:


Barbara Seim, Clerk


Ryan Farmer, Mayor

APPROVED AS TO FORM:


Law Director

CERTIFICATE

The undersigned, Clerk of the City of Clayton, Ohio does hereby certify that the foregoing is a true and correct copy of Ordinance No. O-02-26-01 passed by the Council of said City on the 5th day of March, 2026, and that the foregoing Ordinance No. O-02-26-01 was posted at the City Building, Fire Station 83 and Fire Station 84, on the 6th day of March, 2026, to the 19th day of March, 2026, both days inclusive.


Barbara Seim, Clerk