

**TITLE SEVEN - Parking**  
**Chap. 351. Parking Generally.**

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**Parking Generally**

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**CROSS REFERENCES**

- See sectional histories for similar State law
- Owner nonliability, lease defense - see Ohio R.C. 4511.071
- Police may remove ignition key from unattended vehicle - see TRAF. 303.03
- Parking near stopped fire apparatus - see TRAF. 331.27
- Lights on parked or stopped vehicles - see TRAF. 337.09

**351.01 POLICE MAY REMOVE UNATTENDED VEHICLE WHICH OBSTRUCTS TRAFFIC.**

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. (ORC 4511.67)

**351.02 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.

**351.03 PROHIBITED STANDING OR PARKING PLACES.**

No person shall 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, curb or right of way, except in designated parking areas established by Council. Street side parking on right of way but off the roadway may be permitted on arterial and non-arterial streets except state highways on a temporary basis for special purposes including but not limited to funerals, weddings, school events, open houses, etc. that require additional parking then is available on the premises and after prior notification to the Village Police Department and compliance with any Police Department recommendations.
- (b) In front of a public or private driveway;
- (c) Within an intersection;
- (d) Within ten feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty feet of a crosswalk at an intersection, except in designated parking areas;
- (g) Within thirty feet of and upon the approach to any flashing beacon, stop sign, or traffic control device except in designated parking areas;
- (h) Within twenty feet of a driveway entrance to any safety building and on the side of the street opposite the entrance to any safety building, within seventy-five feet of the entrance when it is properly posted with sign except in designated parking areas;
- (i) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (j) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (k) Upon any bridge or other elevated structure upon a street, except in designated parking areas;
- (l) At any place where signs prohibit stopping, standing or parking, or where the curbing or street is painted yellow, or at any place in excess of the maximum time limited by signs;
- (m) Within one foot of another parked vehicle;
- (n) On the roadway portion of any arterial streets except in designated parking areas;
- (o) On non-arterial streets, except as permitted in subsection (a).  
(Ord. 2000-69. Passed 1-10-01.)
- (p) The Mayor and Safety Committee of the Village are authorized to establish time limits for parking on Main Street between North Street and Center Street, on High Street between Main Street and Maple Street and on Freedom Street between Main Street and Windham Street and post signs for the enforcement after notice to Council of any proposed changes.  
(Ord. 2001-24. Passed 3-14-01.)
- (q) Vehicles parked in municipal lots or other areas where there are lines designating parking spaces shall be totally within the lines and any vehicle not so positioned shall be in violation of this section. (Ord. 2000-69. Passed 1-10-01.)

**351.04 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 the vehicle parallel with and not more than twelve 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) (1) This subsection does not apply to streets or parts thereof where angle parking is lawfully permitted. However, no angle parking shall be permitted on a state route unless an unoccupied roadway width of not less than twenty-five feet is available for free-moving traffic.
- (2) A. No angled parking space that is located on a state route within a municipal corporation is subject to elimination, irrespective of whether there is or is not at least twenty-five feet of unoccupied roadway width available for free-moving traffic at the location of that angled parking space, unless the municipal corporation approves of the elimination of the angled parking space.
- B. Replacement, repainting or any other repair performed by or on behalf of the municipal corporation of the lines that indicate the angled parking space does not constitute an intent by the municipal corporation to eliminate the angled parking space.
- (c) (1) A. Except as provided in subsection (c)(1)B. hereof, no vehicle shall be stopped or parked on a road or highway with the vehicle facing in a direction other than the direction of travel on that side of the road or highway.
- B. The operator of a motorcycle may back the motorcycle into an angled parking space so that when the motorcycle is parked it is facing in a direction other than the direction of travel on the side of the road or highway.
- (2) The operator of a motorcycle may back the motorcycle into a parking space that is located on the side of, and parallel to, a road or highway. The motorcycle may face any direction when so parked. Not more than two motorcycles at a time shall be parked in a parking space as described in subsection (c)(2) of this section irrespective of whether or not the space is metered.

(d) Notwithstanding any provision of this Code or any rule, 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 Ohio Director of Transportation.

(e) Special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces 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. The locations shall be designated through the posting of an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators and ramps. All elevated signs posted in accordance with this subsection and Ohio R.C. 3781.111 (C) shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating a special parking location

is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.

- (f) (1) A. No person shall stop, stand or park any motor vehicle at special parking locations provided under subsection (e) hereof, or at special clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with subsection (e) hereof, unless one of the following applies:
    - 1. The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates;
    - 2. The motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.
  - B. Any motor vehicle that is parked in a special marked parking location in violation of subsection (f)(1)A. of this section may be towed or otherwise removed from the parking location by the Police Department. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles.
  - C. If a person is charged with a violation of subsection (f)(1)A. of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in Ohio R.C. 4503.44(A)(1).
- (2) No person shall stop, stand or park any motor vehicle in an area that is commonly known as an access aisle, which area is marked by diagonal stripes and is located immediately adjacent to a special parking location provided under subsection (e) of this section or at a special clearly marked parking location provided in or on a privately owned parking lot, parking garage, or other parking area and designated in accordance with that subsection.

(g) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special license plates, or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic

- (h) As used in this section:
- (1) "Handicapped person" means any person who has lost the use of one or both legs, or one or both arms, who is blind, deaf or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary or other handicapping condition.
  - (2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in Ohio R.C. 4503.44.
  - (3) "Special license plates" and "removable windshield placard" mean any license plates or removable windshield placard or temporary removable windshield placard issued under Ohio R.C. 4503.41 or 4503.44, and also mean any substantially similar license plates or removable windshield placard or temporary removable windshield placard issued by a state, district, country or sovereignty. (ORC 4511.69)

#### **351.05 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.

#### **351.06 SELLING, WASHING 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) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

#### **351.07 UNATTENDED VEHICLE: DUTY TO STOP ENGINE, REMOVE KEY, SET BRAKE AND TURN WHEELS.**

(a) 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.

The requirements of this section relating to the stopping of the engine, locking of the ignition and removing the key from the ignition of a motor vehicle do not apply to any of the following:

- (1) A motor vehicle that is parked on residential property;
- (2) A motor vehicle that is locked, regardless of where it is parked;
- (3) An emergency vehicle;
- (4) A public safety vehicle. (ORC 4511.661)

#### **351.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.**

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.  
(ORC 4511.70(C))

#### **351.09 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 minutes.

**351.10 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 minutes, if such stopping is not prohibited therein by posted signs.

(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 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.

**351.11 PARKING IN ALLEYS AND NARROW STREETS; EXCEPTIONS.**

No person shall stop, stand or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when directed to by a police officer or traffic control signal.

Except as otherwise provided by law, no person shall stop, stand or park a vehicle within an alley except while actually loading and unloading, and then only for a period not to exceed thirty minutes.

**351.12 PARKING ON STREETS AND HIGHWAYS PROHIBITED.**

No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of a 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 a manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position. (Ord. 711. Passed 7-3-68.)

**351.13 PARKING OF COMMERCIAL VEHICLES AT NIGHT.**

(a) No person shall park a school bus, commercial tractor, agricultural tractor, truck of more than one-half ton capacity, bus, trailer, semitrailer, pole-trailer or moving van on any street within the residential districts of the Village between one hour after sunset and one hour before sunrise. (Ord. 653. Passed 3-1-67.)

(b) No person shall park a school bus, commercial tractor, agricultural tractor, truck of more than one ton capacity, bus trailer, semitrailer, pole trailer or moving van on any street within the commercial districts of the Village between one hour after sunset and one hour before sunrise. (Ord. 81-12. Passed 8-5-81.)

#### **351.14 STORAGE OF UNLICENSED VEHICLES.**

No person, firm or corporation shall store or permit to be stored, for a period of more than fifteen days, any unlicensed motor vehicle upon any lot or land designated as within the boundaries of a residential district by the Zoning Code, unless the same is in a completely enclosed building or garage. (Ord. 618. Passed 3-2-66.)

#### **351.15 NIGHT PARKING PROHIBITED.**

No person shall 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, on any street or alley of the Village between the hours of 1:00 a.m. and 6:00 a.m. inclusive. (Ord. 82-15. Passed 5-5-82.)

#### **351.16 PARKING ON POSTED PRIVATE PROPERTY.**

If an owner of private property posts on the property in a conspicuous manner, a prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:

- (a) Park a vehicle on the property without the owner's consent;
- (b) Park a vehicle on the property in violation of any condition or regulation posted by the owner. (ORC 4511.681)

#### **351.17 SNOW EMERGENCIES.**

No person shall park or otherwise leave a motor vehicle upon a street which has been posted as an emergency snow street when two or more inches of snow has fallen within the preceding three hours.  
(Ord. 83-7. Passed 2-2-83.)

#### **351.18 FIRE LANES.**

(a) The regulations set forth herein are hereby established for the purpose of guarding against the occurrence of fires and to assist in protecting the lives and property of residents of the Village of Garrettsville. Based upon the Fire Chief's recommendation of fire lanes, the code official shall require and designate public or private fire lanes as deemed necessary for the efficient and effective operations of fire apparatus.

(b) Following the designation of a fire lane as provided herein, the Fire Chief shall serve notice in writing, or cause notice served in writing to the owner or authorized agent of the owner of the premises so designated as requiring certain fire lanes of the exact nature and extent of the fire lanes as required. The owner or authorized agent of the owner shall place, or cause to be placed or erected, adequate signs and markers to notify all persons of the existence and extent of such fire lane not later than thirty days after receipt of the notice. The owner or authorized agent of the owner shall maintain or cause to be maintained such signs and markers in legible condition. The Fire Chief shall specify the design and location of the signs and markers referred to in subsection (b) herein. The specifications therefor shall not be less than those required for such signs and markers on public highways, as set forth by the Ohio Department of Transportation.

- (c) (1) No person shall park a motor vehicle in any fire lane designated as such pursuant to this section whether located on private or public property.
- (2) No owner of premises whereon a fire lane has been designated pursuant to this section shall fail to provide, erect, install and maintain the signs and markers as required herein within thirty days after receipt of notice to do so from the Fire Chief.
- (3) Each day of failure to comply with the provisions of subsection (b) shall be a separate offense. (Ord. 00-13. Passed 4-12-00.)

**351.99 PENALTY.**

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty and penalties applicable to misdemeanor classifications.)

- (a) Waiver Fine. Whoever violates any provision of Chapter 351, may within forty-eight hours after receipt of such notice report to the Police Department, and pay a penalty of ten dollars (\$10.00) in full satisfaction of such violation, after forty-eight hours, such person may report and pay a penalty of twenty dollars (\$20.00) in full satisfaction. Any subsequent ticket with the first remaining unpaid shall automatically become twenty dollars (\$20.00) even though the subsequent ticket may have been issued within the forty-eight hour period. Such payment as provided in this subsection shall be deemed a plea of guilty, waiver of court appearance and acknowledgment of conviction of the alleged offense. Failure of a person to make a payment as provided for in this subsection and within the time and manner aforesaid shall render such person liable to the penalty provided in Section 303.99(a)(1).
- (b) Fire Lanes. Whoever violates Section 351.18 is guilty of a minor misdemeanor on a first offense, on a second offense within one year after the first offense such person is guilty of a misdemeanor of the third degree.
- (c) Handicap Parking Zones. Whoever violates Section 351.04(e) and (f) may within forty-eight hours after receipt of a traffic citation report to the Police Department and pay a penalty of fifty dollars (\$50.00) in full satisfaction of such violation, after forty-eight hours such person may report and pay a penalty of one hundred dollars (\$100.00) in full satisfaction of such violation. A subsequent citation with the first citation remaining unpaid shall automatically become one hundred dollars (\$100.00) even though the subsequent citation may have been issued within the forty-eight hour period. Such payment shall be deemed a plea of guilty, waiver of court appearance and acknowledgment of conviction of the alleged offense. The failure of such person to make such payment within the time aforesaid shall render the person liable to imposition of penalties provided in Section 303.99(a)(1).
- (d) No owner of premises whereon a fire lane has been designated pursuant to this section shall fail to provide, erect, install and maintain the signs and markers as required herein thirty days after receipt of notice to do so from the Fire Chief. (Ord. 00-22. Passed 5-10-00.)
- (e) In the event that a car has two or more outstanding tickets that have not been paid as lawfully required, the Village has the authority to impound and immobilize the vehicle until such fines and costs have been paid in full. (Ord. 2011-72. Passed 12-14-11.)