

Village of Bolivar, Ohio

Ordinance Number: 0-25-2023

TITLE: AN ORDINANCE DECLARING CERTAIN STREETS WITHIN THE VILLAGE OF BOLIVAR AS SNOW REMOVAL STREETS AND DESIGNATING LIMITED PARKING THEREON FOR SNOW REMOVAL PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Bolivar, Ohio seeks to ensure that streets within the Village of Bolivar can be cleared of snow and ice to protect the health and safety of residents and facilitate travel along the roadways within the Village of Bolivar; and

WHEREAS, in this regard, the Legislative Authority for the Village of Bolivar desires to declare certain streets within the Village of Bolivar to be emergency snow removal streets and to restrict parking thereon.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, COUNTY OF TUSCARAWAS, STATE OF OHIO, A MAJORITY OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

SECTION 1. Poplar Street, Cherry Street, Tuscarawas Street, and Water Street (between Sassafras Alley and Canal Street only) shall be and hereby are declared to be snow removal emergency streets within the Village of Bolivar.

SECTION 2. During snow removal emergencies, the parking of motor vehicles is hereby prohibited on the streets set forth in Section 1 between the hours of 11:00 p.m. and 8:00 a.m. each day during the continuation of said emergency.

SECTION 3. A snow removal emergency shall be deemed to exist when an accumulation of two (2) inches or more of snow shall be found on any street set forth in Section 1.

SECTION 4. In addition to the definition of a snow removal emergency set forth in Section 3, the Chief of Police for the Village of Bolivar and the Mayor of the Village of Bolivar shall also be authorized to declare a snow removal emergency when either deems it necessary and advisable.

SECTION 5. The Street Superintendent or his/her designee is hereby authorized to erect any necessary signage to identify and advise of snow removal emergency streets set forth in Section 1.

SECTION 6. Any person owning or operating motor vehicles and parking in violation of this Ordinance shall be found guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$50.00 and costs for each offense.

SECTION 7. Any motor vehicle found in violation of this Ordinance may be ordered towed by the Village of Bolivar Police Department and any costs or expenses associated

with towing, storage, or otherwise shall be borne by the operator or owner of said motor vehicle.

SECTION 8. This Ordinance is inclusive of any other Ordinance enacted by the Legislative Authority for the Village of Bolivar with respect to snow emergency removal streets, including, but not limited to, Ordinance 1978-266.

SECTION 9. This Ordinance repeals all previous Ordinances or Resolutions or parts thereof in conflict herewith.

SECTION 10. It is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 11. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, and general welfare for the reason that seasonal snowfall requires immediate passage to facilitate travel within the Village of Bolivar; and, this Ordinance shall be in full force and effective immediately upon its passage.

PASSED IN COUNCIL this 7th day of December 2023.

Attest:

Tedd Finlayson, Mayor

Patty Smith, Interim Fiscal Officer

Approved as to Legal Form by:

Stephan P. Babik, Village Solicitor