



Legislation Text

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TO ADOPT AMENDMENTS TO THE TRAFFIC AND GENERAL OFFENSES CODE EFFECTIVE JANUARY 1, 2004; AND TO DECLARE AN EMERGENCY.

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WHEREAS, the State General Assembly by Senate Bill 123 has completely revised the State Traffic Code, effective January 1, 2004; and

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances comply with State law if they are an exercise of the City's police powers; and

WHEREAS, the penalty for minor misdemeanor offenses has been increased by House Bill 409 from one hundred dollars to one hundred fifty dollars; and

WHEREAS, the City has authorized the Walter H. Drane Company to prepare a new Traffic Code for the City to comply with Senate Bill 123, which is presently before Council; and

WHEREAS, for the preservation of the public peace, health and safety of the City and its inhabitants there exists an imperative necessity for the adoption of the new Traffic Code to be effective January 1, 2004, so as to avoid conflict with general State law;

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

Section 1. That the 2004 Traffic Code of the City of Gahanna, Ohio, as prepared by the Walter H. Drane Company and attached to this ordinance as EXHIBIT A is hereby adopted.

Section 2 . That amendment to the General Offenses Code as outlined below and included in EXHIBIT A are also hereby adopted.

Section 3. That the following sections are hereby added or amended as respectively indicated in order to comply with State law effective January 1, 2004:

301.201 Operate Defined (Added)

301.251 Predicate Motor Vehicle or Traffic Offense Defined (Added)

301.51 Vehicle Defined (Amended)

303.01 Compliance With Lawful Order of Police Officer; Fleeing (Amended)

303.02 Traffic Direction in Emergencies; Obedience to School Guard (Amended)

303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)

303.06 Freeway Use Prohibited by Pedestrians, Bicycles & Animals (Amended)

303.08 Impounding of Vehicles; Redemption. (Amended)

303.082 Private Tow Away Zones. (Amended)

303.09 Leaving Junk and Other Vehicles on Private or Public Property Without Permission or Notification. (Amended)

- 303.10 Leaving Junk Vehicle on Private Property with Permission of Owner. (Amended)
- 303.99 General Traffic Code Penalties. (Amended)
- 311.01 Placing Injurious Material or Obstruction in Street. (Amended)
- 311.02 Parades and Assemblages. (Amended)
- 311.03 Toy Vehicles on Streets. (Amended)
- 313.01 Obedience to Traffic Control Devices. (Amended)
- 313.03 Traffic Control Signal Terms and Lights. (Amended)
- 313.04 Lane-Use Control Signals Over Individual Lanes. (Amended)
- 313.05 Pedestrian Control Signals. (Amended)
- 313.06 Flashing Traffic Signals. (Amended)
- 313.07 Unauthorized Signs and Signals, Hiding From View, Advertising. (Amended)
- 313.08 Alteration, Injury, Removal of Traffic Control Devices. (Amended) 313.09 Driver's Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Amended)
- 313.10 Unlawful Purchase, Possession or Sale. (Amended)
- 331.01 Driving Upon Right Side of Roadway; Exceptions. (Amended) 331.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.04 Overtaking and Passing Upon Right. (Amended)
- 331.05 Overtaking, Passing to Left of Center. (Amended)
- 331.06 Additional Restrictions on Driving Upon Left Side of Roadway. (Amended)
- 331.07 Hazardous or No Passing Zones. (Amended)
- 331.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 331.09 Following Too Closely. (Amended)
- 331.10 Turning at Intersections. (Amended)
- 331.11 Turning Into Private Driveway, Alley or Building. (Amended)
- 331.12 "U" Turns Restricted. (Amended)
- 331.13 Starting and Backing Vehicles. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended) 331.15 Hand and Arm Signals. (Amended)
- 331.16 Right of Way at Intersections. (Amended)
- 331.17 Right of Way When Turning Left. (Amended)
- 331.18 Operation of Vehicle at Yield Signs. (Amended)
- 331.19 Operation of Vehicle at Stop Signs. (Amended)
- 331.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 331.21 Right of Way of Public Safety or Coroner's Vehicle. (Amended) 331.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield. (Amended)
- 331.23 Driving Onto Roadway From Place Other Than Roadway: Stopping At Sidewalk. (Amended)
- 331.24 Right of Way of Funeral Procession. (Amended)
- 331.25 Driver's View and Control To Be Unobstructed By Load or Persons. (Amended)
- 331.26 Driving Upon Street Posted As Closed For Repair. (Amended) 331.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 331.28 Driving Over Fire Hose. (Amended)
- 331.29 Driving Through Safety Zone. (Amended)
- 331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 331.31 Driving Upon Divided Roadways. (Amended)
- 331.32 Entering and Exiting Controlled-Access Highway. (Amended) 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.34 Failure To Control; Weaving; Full Time and Attention. (Amended) 331.35 Occupying a Moving Trailer or Manufactured or Mobile Home. (Amended)
- 331.36 Squealing Tires, "Peeling" , Cracking Exhaust Noises. (Amended) 331.37 Driving Upon Sidewalks,

- Street Lawns or Curbs. (Amended) 331.38 Stopping For School Bus; Discharging Children. (Amended)
331.39 Driving Across Grade Crossing. (Amended)
331.40 Stopping at Grade Crossing. (Amended)
331.41 Shortcutting; Avoiding Traffic Control Devices. (Amended)
331.42 Littering From Motor Vehicle. (Amended)
331.43 Wearing Earplugs or Earphones Prohibited. (Amended)
333.01 Driving or Physical Control While Under the Influence. (Amended) 333.03 Maximum Speed Limits;
Assured Clear Distance Ahead. (Amended)
333.031 Approaching a Stationary Public Safety Vehicle. (Amended)
333.04 Stopping Vehicle; Slow Speed; Posted Minimum Speeds. (Amended)
333.05 Speed Limitations Over Bridges. (Amended)
333.07 Street Racing Prohibited. (Amended)
333.08 Operation Without Reasonable Control. (Amended)
335.01 Driver's License or Commercial Driver's License Required. (Amended)
335.02 Permitting Operation Without Valid License; One License Permitted. (Amended)
335.03 Driving With Temporary Instruction Permit; Curfew. (Amended) 335.031 Driving With Probationary
License; Curfew. (Amended)
335.04 Certain Acts Prohibited. (Amended)
335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
335.06 Display of License. (Amended)
335.07 Driving Under Suspension or License Restriction. (Amended) 335.071 Driving Under OVI Suspension.
(Added)
335.072 Driving Under Financial Responsibility Law Suspension or Cancellation (Added)
335.073 Driving Without Complying With License Reinstatement Requirements. (Added)
335.08 Operation or Sale Without Certificate of Title. (Amended)
335.09 Display of License Plates. (Amended)
335.10 Expired or Unlawful Plates. (Amended)
335.11 Use of Illegal License Plates; Transfer of Registration. (Amended) 335.12 Stopping After Accident Upon
Streets; Collision With Unattended Vehicle. (Amended)
335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
335.14 Vehicle Accident Resulting in Damage to Realty .(Amended)
339.05 Wheel Protectors. (Amended)
339.06 Vehicles Transporting Explosives. (Amended)
339.07 Towing Requirements. (Amended)
339.08 Loads Dropping or Leaking; Removal Required; Tracking Mud. (Amended)
339.09 Shifting Loads; Loose Loads. (Amended)
339.10 Vehicles With Spikes, Lugs or Chains. (Amended)
339.11 Use of Studded Tires and Chains.
341.01 Commercial Drivers Definitions. (Amended)
341.02 Exemptions. (Amended)
341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
341.04 Prohibitions. (Amended)
341.05 Criminal Offenses. (Amended)
341.06 Employment of Drivers of Commercial Vehicles. (Amended) 351.03 Prohibited Standing or Parking
Places. (Amended)
351.04 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)
351.06 Selling, Washing or Repairing Vehicle Upon Roadway. (Amended) 351.07 Unattended Vehicle: Duty to
Stop Engine, Remove Key, Set Brake and Turn Wheels. (Amended)
351.08 Opening Vehicle Door on Traffic Side. (Amended)
351.12 Prohibition Against Parking on Streets or Highways. (Amended) 351.19 Parking on Posted Private

Property. (Amended)

- 371.01 Right of Way in Crosswalk. (Amended)
- 371.02 Right of Way of Blind Person. (Amended)
- 371.03 Crossing Roadway Outside Crosswalk; Diagonal Crossings at Intersections. (Amended)
- 371.04 Moving Upon Right Half of Crosswalk. (Amended)
- 371.05 Walking Along Highways.
- 371.06 Use of Highway for Soliciting; Riding On Outside of Vehicles. (Amended)
- 371.07 Right of Way on Sidewalk. (Amended)
- 371.08 Yielding to Public Safety Vehicle. (Amended)
- 371.09 Walking on Highway While Under the Influence. (Amended)
- 371.10 On Bridges or Railroad Crossings. (Amended)
- 371.11 Persons Operating Motorized Wheelchairs. (Amended)
- 371.12 Electric Personal Assistive Mobility Devices. (Amended)
- 373.02 Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)
- 373.03 Attaching Bicycle or Sled to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.05 Signal Device on Bicycle. (Amended)
- 373.06 Lights and Reflector on Bicycle; Brakes. (Amended)
- 373.07 Riding Bicycle on Right Side of Roadway; Obedience to Traffic Rules; Passing. (Amended)
- 373.08 Reckless Operation; Control, Course and Speed. (Amended)
- 373.09 Parking of Bicycle. (Amended)
- 375.02 Snowmobile, Off-Highway Motorcycle and All-Purpose Vehicle Equipment. (Amended) .
- 375.03 Code Application; Prohibited Operation. (Amended)
- 375.05 Licensing Requirements of Operator. (Amended)
- 375.06 Registration of Vehicles. (Amended)
- 375.07 Accident Reports. (Amended)
- 375.08 Certificate of Title. (Amended)

General Offenses Code

- 501.02 Classification of Offenses. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)

Section 3: That the complete text of the Traffic and General Offenses Code sections listed above are set forth in full in Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4: That for the reasons set forth in the preamble hereinabove, this ordinance is declared emergency legislation, and shall be in full force and effect immediately upon passage by this Council and approval by the Mayor, or on January 1, 2004, whichever date is later.