

ORDINANCE NO. 111 - 2023

**TITLE: AMENDING BARBERTON CODIFIED ORDINANCES
CHAPTER 355 – MUNICIPAL PARKING LOTS**

AN ORDINANCE AMENDING SECTION 355.01 “DESIGNATION” (ORDINANCE NO. 199-1993) AND SECTION 355.02 “USE OF LOTS” (ORDINANCE NO. 192-1991, ORDINANCE NO. 7-2001, AND ORDINANCE NO. 54-2018), AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Council hereby amends Section 355.01 “Designation” and Section 355.02, “Use of Lots”, by showing said amendment with a ~~strike through~~ for any deletions and **bold** for any additions to read as follows:

§ 355.01 DESIGNATION.

The following parking lots are hereby designated by the city as municipal parking lots and shall be under the jurisdiction of the Director of Public Safety:

<i>Lot</i>	<i>Location</i>
A Red	Northeast corner of Fifth Street NW/W. Tuscarawas
B Red	Northwest corner of Fifth Street NW/W. Tuscarawas
C	Southeast corner of Fifth Street NW/W. Tuscarawas
D Gray	Northeast corner of Fifth Street NW/Wooster Road W. North side of Wooster Road W between Fourth Street NE and Sixth Street NE
E Pink	Southwest corner of Second Street NW/Wooster Road W.
F Brown	Southeast corner of Second Street NW/Wooster Road W.
G Green	First Street NW between W. Paige and W. Park Avenues
Purple	Lot on north side of the street between Second Street NW and Third Street NW
Orange	North side of W. Hopocan Avenue between Newell Street and Wunderlich Avenue
Yellow	Northwest corner of Second Street NW/W. Paige Avenue
Blue	Lot on east side of 14th Street NW between W. Hopocan Avenue and Wooster Road W.

§ 355.02 USE OF LOTS.

(A) Municipal parking **in Red** Lots ~~A, B and C~~ shall be utilized as a combined use for both reserved and public parking. ~~Lots D, E, F and G shall be used only for public parking.~~ Except where specifically limited by this chapter, the Director of Public Safety shall have discretion in the assignment of reserved parking spaces and the time periods for which spaces are reserved. The Director shall cause municipal lots to be properly marked and painted with appropriate signage depicting the location of reserved spaces and time restrictions. The Director may temporarily close any municipal lot or any portion thereof to public use due to special events or the temporary needs of the city.

~~(B) Not more than 37 parking spaces in lots A, B, and C shall be designated and reserved for various city officials, employees, vehicles, or special uses. Such 37 spaces are in addition to those reserved for police use.~~

~~(B) (C)~~ **Red lot** Lot A shall be occupied and used for the parking of vehicles so reserved to the exclusion of all others from 6:00 a.m. until 6:00 p.m., Monday through Friday. Reserved space #1 shall be occupied and used for the parking of the vehicle so reserved and to the exclusion of all others 24 hours a day, seven days a week. Reserved spaces #28 and #29, (A.D.A. compliant) in the southern most row and closest to the driveway apron on W. Tuscarawas, shall be available to the public 24 hours a day, seven days a week. ~~One space in Lot A shall be reserved for City Council purposes.~~

~~(D) The northernmost row located in lot B shall be occupied and used for parking of vehicles so reserved to the exclusion of all others 24 hours a day, seven days a week. The remainder of lot B shall be open to the public and city employees working in the municipal building.~~

~~(E) The east row of parking located in Lot C shall be occupied and used for the parking of vehicles so reserved to the exclusion of all others between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday. The balance of Lot C shall be utilized by the public, restricted only as provided in Section 355.03.~~

~~(F) On days of regularly scheduled Council meetings, the Director of Public Safety shall cause an adequate number of spaces to be designated and reserved for Council members from 5:00 p.m. to 9:00 p.m. These spaces shall be located in municipal lot A, but in no event shall any of the spaces marked "Police" be used for such purpose.~~

(C) (G) Spaces marked "Police" in **Red Lot A** shall be occupied and used for the parking of authorized police vehicles. These spaces shall be reserved for such vehicles 24 hours a day, seven days a week, to the exclusion of all others. The east ramp of the municipal building shall also be reserved for police patrol car storage, with one space provided for the municipal building custodian.

(D) (H) Spaces marked "Reserved" shall be occupied and used for parking only by the authorized person or the authorized person's designee. Parking in properly marked spaces by any other person is prohibited. ~~as specified in divisions (A), (B), (C), (D) and (G) above.~~

(E) (I) No unauthorized person shall park in any municipal parking lot in violation of any of the above restrictions.

(F) (J) The Police Division shall have the authority to tow all unauthorized vehicles parked illegally in any space designated reserved in accordance with this section.

(G) Semi-trucks, boats, trailers, food trucks and commercial vehicles are prohibited from parking unless authorized by the Director of Public Safety

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that there are current vacancies and upcoming retirements within the City, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed SEPTEMBER 11, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor