

BRUNSWICK CITY BUILDING & BUILDING CODE COMMITTEE

Agenda SEPTEMBER 14, 2020 6:00 PM

1. Discussion Items
 - (a) An ordinance amending Codified Ordinance Section 476.03 by increasing prohibitions for operations of snowmobiles, off-highway vehicles, and all-purpose vehicles.
2. General Discussion
3. Adjournment

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CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN EMERGENCY ORDINANCE AMENDING SECTION 476.03 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY INCREASING PROHIBITIONS FOR OPERATION OF SNOWMOBILES, OFF-HIGHWAY VEHICLES AND ALL-PURPOSE VEHICLES.

WHEREAS: This Council finds that the operation of snowmobiles, off-highway vehicles and all-purpose vehicles, as defined in Codified Ordinance Section 476.01, creates unreasonable noise and dust pollution which is disturbing to the residents of the City; and

WHEREAS: Upon due consideration thereof, this Council finds that said activity should be further restricted.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 476.03 of the Codified Ordinances is hereby amended to read as follows:

“(a) The applicable provisions of this Traffic Code shall be applied to the operation of snowmobiles, off-highway motorcycles, and all purpose vehicles; except that no snowmobile, off-highway motorcycle, or all purpose vehicle shall be operated as follows:

- (1) ***
- (2) ***
- (3) ***
- (4) ***
- (5) ***
- (6) ***
- (7) ***
- (8) ***

(9) Upon any private property within 250 feet of a residential dwelling (except for the residential dwelling located on such private property) or residential property line.

(10) Upon any private property within 100 feet of any public right-of-way.

(11) Other than between the hours of 9:00 a.m. and 7:00 p.m. (Monday through Friday); 12:00 noon and 7:00 p.m. (Saturday); 12:00 noon and 6:00 p.m. (legal holidays and Sunday) within the municipal limits of the City.

(12) In such manner as to make or cause to be made any unreasonable noise or dust of such character or duration as to disturb the peace and quite of any inhabitant of any residential property.

(13) In such close proximity to any residential property line that there is any stone, dirt, dust, mud, grass or vegetation thrown onto the adjacent residential property.

(b) This section does not apply to a person operating a snowmobile, off-highway motorcycle or all-purpose vehicle for:

(1) Medical or health emergencies.

(2) Grass cutting or field plowing.

(3) Snow plowing.

(4) Loading onto a trailer for purposes of transportation or removal from a trailer for parking or storage purposes.

(5) Repairs in an enclosed structure.

~~(c) Whoever violates this section shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), imprisoned for not less than three nor more than thirty days, or both. Whoever violates this section is guilty of a minor misdemeanor on the first offense; on the second offense within one year after conviction of the first offense the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after conviction of the second offense the person is guilty of misdemeanor of the third degree.~~

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to regulate snowmobiles, off-highway motorcycle and all-purpose vehicles on private property. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

