

THIRD READING

**AMENDED
ORDINANCE NO. 05-04**

**ENACTING AND ADOPTING SECTION 76.09 OF THE MADEIRA CODE
REGARDING SNOW EMERGENCY**

WHEREAS, City Council is concerned about the safety of their residents and the employee's of the City of Madeira during a large snow storm; and

WHEREAS, City Council would like to have the ability to remove parked vehicles from all city streets during a snow storm where a snow emergency has been declared; and

WHEREAS, the Public Works Committee has recommended the addition of Section 76.09 to the Madeira Code of Ordinances which is attached as Exhibit "A."

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

Section 1. That Exhibit "A" Section 76.09 Snow Emergency be adopted in its entirety.

Section 2. That this Ordinance is an emergency and shall take effect immediately upon passage.

PASSED ON THE 12TH DAY OF DECEMBER, 2005
BY THE FOLLOWING 7-0 VOTE:

YEA	NAY	ABSTAIN	ABSENT
Ken Born			
Rick Brasington			
Tim Dicke			
John Dobbs			
Sarah Evans			
Dave Sams			
Rick Staubach			

David A. Sams, Mayor

Diane D. Novakov, Clerk of Council

ORDINANCE NO. 05-04
EXHIBIT “A”

SECTION 76.09
SNOW EMERGENCY

- A. “Snow Emergency” means a period of time declared by the City Manager, or designee, when the United States Weather Bureau forecasts three (3) inches or more of snow in any given storm and there is the prospect of additional snow, or when ice and/or snow has accumulated to the extent that it is impairing the safe movement of vehicular traffic within the City. Special parking restrictions become effective when these weather conditions exist and a Snow Emergency is declared. The Snow Emergency shall exist from the time it is formally announced until the time it is formally cancelled.

- B. Whenever a Snow Emergency is declared, the City Manager, or designee, shall request the local news media to announce the Snow Emergency and the time of the declaration, and/or notice of declaration shall be provided through the City’s emergency notification network. Owners and operators of motor vehicles shall be deemed to have notice of the Snow Emergency two (2) hours after the official announcement and are then subject to the prohibitions of this Ordinance. Cancellation shall be effected in the same manner. A Snow Emergency is automatically declared whenever the City of Cincinnati, Ohio issues a snow emergency.

- C. (1) Whenever a Snow Emergency is in effect, no person shall park, abandon, or leave unattended any motor vehicle on a public street in the City.

(2) Any motor vehicle found stopped in a prohibited area during a Snow Emergency may be removed by order of the police.

- D. The owner or operator of a motor vehicle found in violation of the prohibitions of this Ordinance shall be deemed to have committed a minor misdemeanor parking infraction, and in addition to any fine which may be imposed, the owner or operator of a motor vehicle found in violation of this Ordinance shall be responsible for all towing and storage costs for such vehicle during the Snow Emergency.

- E. The City Manager shall have the authority to waive these regulations for good cause. “Good cause” shall include, but not be limited to, lack of driveway, needed emergency repairs that prevent the relocation of the vehicle, or owner of vehicle is out of town during the snow event. The City Manager shall make the final determination regarding the waiver on a case by case basis. However, nothing herein shall require the City Manager to waive these regulations.