

ORDINANCE NO.: 42-2009
INTRODUCED BY: O'Toole

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES TO SPECIFY A PENALTY FOR VIOLATIONS OF RULES AND REGULATIONS FOR CITY PARK AREAS; AND DECLARING AN EMERGENCY.

WHEREAS, in order to more clearly define the penalties for violation of City park area rules and regulations and to make different sections of the Codified Ordinances consistent with respect thereto, it is necessary to amend the penalty provisions of Codified Ordinance Sections 151.05(b) and 959.99;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Subsection (b) of Section 151.05, "Park Regulations; Penalty," of the Administrative Code of the Codified Ordinances of the City is amended to hereinafter read as follows:

* * *

"(b) Any person found violating any of the above rules or regulations shall be subject to ejection from such park or recreation facility by City park or pool personnel and repeated violations shall be just cause for the revoking of any pass or permit previously issued to such person and shall constitute just cause for barring such individual from any City park or recreation facility; and in addition thereto, any person violating any of the above rules or regulations shall be deemed guilty of a minor misdemeanor. ~~and shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty days, or both, for each separate offense committed.~~"

Section 2: Existing subsection 151.05(b) of the City's Codified Ordinances is hereby repealed.

Section 3: Section 959.99, "Penalty", of the Streets and Public Services Code of the Codified Ordinances of the City is amended to hereinafter read as follows:

"Whoever violates any of the provisions of this chapter ~~shall be fined not more than five hundred dollars (\$500.00)~~ is guilty of a minor misdemeanor."

Section 4: Existing Section 959.99, "Penalty", of the Streets and Public Services Code of the Codified Ordinances of the City is hereby repealed.

Section 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: This Ordinance is hereby determined to be an emergency measure immediately necessary for the preservation of public peace, health, safety, and welfare of the citizens and visitors of the City of Richmond Heights by reason of the need to have an adequate enforcement penalty for violations of the rules and regulations governing park areas of the City beginning this summer season and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council