

**Amherst Township Resolution Regarding:**  
**Prohibiting Parking on Any Township Street or Highway During a Snow  
Emergency per Ohio Revised Code Section 505.17**

The Board of Trustees of Amherst Township, Lorain County, Ohio met in regular session on the 25th day of November 2014 at the Amherst Township Hall with the following members present: (Presence indicated by a ✓ mark)

- ✓ Mr. Dennis Abraham
- ✓ Mr. Neil Lynch
- ✓ Mr. David Urig

Mr. Urigo moved to adopt the following resolution:

**Whereas;** Section 505.17 of the Ohio Revised Code allows a board of township trustees to adopt a general snow emergency authorization limiting or prohibiting parking on any township street or highway during a snow emergency declared pursuant to a snow emergency authorization, and

**Whereas;** the Board of Trustees of Amherst Township has received complaints of vehicles parked on township roads during snow removal and such parking impeded efficient snow removal by township personnel, and

**Whereas;** the Board of Trustees of Amherst Township desires to protect the health, safety and welfare of the citizenry by maintaining passable roads during winter snowfalls for the provision of ambulance, police, and fire services, and to protect the general convenience of the population, and

**Whereas;** the Board of Trustees of Amherst Township desires to provide such snow removal safely and efficiently and the parking of vehicles on township roads impedes that desire,

**Now, therefore be it resolved by the Trustees of the Township of Amherst, State of Ohio:**

**Section 1.** The Board of Trustees of Amherst Township hereby establishes and adopts a general snow emergency authorization. This snow emergency authorization shall apply to all township streets and highways in the unincorporated portion of Amherst Township. The chairman/president of the board or the township road superintendent may issue an order declaring a snow emergency and limiting or prohibiting parking on all township streets and highways in the unincorporated portion of Amherst Township during the snow emergency. A snow emergency may be declared when snowfall exceeds 2 (two) inches or a severe snow or ice condition exists.

An order declaring a snow emergency shall become effective two hours after the chairman/president of the board or township road superintendent makes an announcement of a snow emergency to the local news media. The chairman/president of the board or road superintendent shall request the local news media to announce that a snow emergency has been declared, the time the declaration shall go into effect, and whether the snow emergency will remain in effect for a specified period of time or indefinitely until canceled by a subsequent announcement to the local news media by the chairman/president of the board or road superintendent.

**Section 2.** Pursuant to Ohio Revised Code Sections 505.15(D) and 4521.02, a violation of this resolution shall not be considered a criminal offense for any purpose. A person who commits the

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violation shall not be arrested as a result of the commission of the violation. A violation of this resolution shall be handled pursuant to Ohio Revised Code Section 4521.02. The fine for violation of this resolution shall be fifty dollars (\$50.00) if paid within seven days of the violation, and one hundred dollars (\$100.00) if paid more than seven days but less than twenty-one days of the violation. Any monies received from violations of this resolution shall be paid into the township's general fund.

Pursuant to Ohio Revised Code Section 4521.02 (B), the Board of Trustees of Amherst Township, the chairman/president of the board, or the township road superintendent may order into storage any vehicle parked in violation of a snow emergency declaration. The owner or any leinholder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, and payment of all expenses, charges, and fines incurred as a result of the parking violation and removal and storage of the vehicle.

**Section 3.** This resolution may be enforced where traffic control devices conforming to section 4511.09 of the Ohio Revised Code are prominently displayed.

**Section 4.** All regulations and orders of this resolution shall be subject to the limitations, restrictions, and exceptions in sections 4511.01 to 4511.76 and 4513.02 to 4513.37 of the Ohio Revised Code.

**Section 5:** All regulations and orders of this snow emergency authorization, except for an order declaring a snow emergency, shall be posted by the township fiscal officer in five conspicuous places in the township for thirty days before becoming effective, and shall be published in a newspaper of general circulation in the township for three consecutive weeks or as provided in section 7.16 of the Ohio Revised Code. In addition to these requirements, no general snow emergency authorization shall become effective until permanent signs giving notice that parking is limited or prohibited during a snow emergency are properly posted, in accordance with any applicable standards adopted by the department of transportation, along streets or highways specified in this resolution.

**Section 6:** It is found and determined that all formal actions of the Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting, and that all deliberations of the Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the Ohio Revised Code.

Mr. Lynch seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

<b>Trustee</b>	<b>Yes (√)</b>	<b>No (√)</b>	<b>Abstain (√)</b>
Mr. Dennis Abraham	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Neil Lynch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. David Urig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted Mr. Howard Akin, Township Fiscal Officer

November 25, 2014  
Date

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Board of Trustees held on the 25<sup>th</sup> day of November 2014, and that I am duly authorized to execute this certificate

\_\_\_\_\_  
(original signature)

Amherst Township Fiscal Officer  
(title)

# Ohio Revised Code:

## **505.17 Regulations for engine noise and vehicle parking.**

(A) Except in a township or portion of a township that is within the limits of a municipal corporation, the board of township trustees may make regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under section [4513.221](#) of the Revised Code, and all vehicle parking in the township. This authorization includes, among other powers, the power to regulate parking on established roadways proximate to buildings on private property as necessary to provide access to the property by public safety vehicles and equipment, if the property is used for commercial purposes, the public is permitted to use the parking area, and accommodation for more than ten motor vehicles is provided, and the power to authorize the issuance of orders limiting or prohibiting parking on any township street or highway during a snow emergency declared pursuant to a snow-emergency authorization adopted under this division. All such regulations and orders shall be subject to the limitations, restrictions, and exceptions in sections [4511.01](#) to [4511.76](#) and [4513.02](#) to [4513.37](#) of the Revised Code.

A board of township trustees may adopt a general snow-emergency authorization, which becomes effective under division (B)(1) of this section, allowing the president of the board or some other person specified in the authorization to issue an order declaring a snow emergency and limiting or prohibiting parking on any township street or highway during the snow emergency. Any such order becomes effective under division (B)(2) of this section. Each general snow-emergency authorization adopted under this division shall specify the weather conditions under which a snow emergency may be declared in that township.

(B)

(1) All regulations and orders, including any snow-emergency authorization established by the board under this section, except for an order declaring a snow emergency as provided in division (B)(2) of this section, shall be posted by the township fiscal officer in five conspicuous public places in the township for thirty days before becoming effective, and shall be published in a newspaper of general circulation in the township for three consecutive weeks or as provided in section [7.16](#) of the Revised Code. In addition to these requirements, no general snow-emergency authorization shall become effective until permanent signs giving notice that parking is limited or prohibited during a snow emergency are properly posted, in accordance with any applicable standards adopted by the department of transportation, along streets or highways specified in the authorization.

(2) Pursuant to the adoption of a snow-emergency authorization under this section, an order declaring a snow emergency becomes effective two hours after the president of the board or the other person specified in the general snow-emergency authorization makes an announcement of a snow emergency to the local news media. The president or other specified person shall request the local news media to announce that a snow emergency has been declared, the time the declaration will go

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into effect, and whether the snow emergency will remain in effect for a specified period of time or indefinitely until canceled by a subsequent announcement to the local news media by the president or other specified person.

(C) Such regulations and orders may be enforced where traffic control devices conforming to section [4511.09](#) of the Revised Code are prominently displayed. Parking regulations authorized by this section do not apply to any state highway unless the parking regulations are approved by the director of transportation.

(D) A board of township trustees or its designated agent may order into storage any vehicle parked in violation of a township parking regulation or order, if the violation is not one that is required to be handled pursuant to Chapter 4521. of the Revised Code. The owner or any lienholder of a vehicle ordered into storage may claim the vehicle upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, and payment of all expenses, charges, and fines incurred as a result of the parking violation and removal and storage of the vehicle.

(E) Whoever violates any regulation or order adopted pursuant to this section is guilty of a minor misdemeanor, unless the township has enacted a regulation pursuant to division (A) of section [4521.02](#) of the Revised Code, that specifies that the violation shall not be considered a criminal offense and shall be handled pursuant to Chapter 4521. of the Revised Code. Fines levied and collected under this section shall be paid into the township general revenue fund.

Amended by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 06-20-1988; 12-20-2005