

ORDINANCE NO. 2018-36

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

**AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 432.08 ENTITLED
“DRIVING WITHIN LANES OR CONTINUOUS LINES OF TRAFFIC” FOR THE
PURPOSE OF REGULATING THE OPERATION OF MOTOR VEHICLE
IN ANY ON-STREET PATH, LANE, TRAIL, OR MULTI-PURPOSE LANE DESIGNATED
BY OFFICIAL SIGNS OR MARKINGS FOR THE EXCLUSIVE USE OF BICYCLES OR
OTHER NON-MOTORIZED MODES OF TRANSPORTATION AND
DECLARING AN EMERGENCY.**

WHEREAS, the City of University Heights encourages residents and visitors to bike in the community; and

WHEREAS, the City of University Heights desires to ensure all modes of transportation are safe when using City roads; and

WHEREAS, the City of University Heights desires to change Chapter 432.08 of the Codified Ordinances of the City of University Heights to reflect that the general operation of motor vehicles is prohibited in any on-street path, lane, trail or multi-purpose lane designated by official signs or markings for the exclusive use of bicycles or other non-motorized transportation; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
UNIVERSITY HEIGHTS, OHIO, THAT:**

Section 1. Codified Ordinance Section 432.08 shall be amended as follows:

432.08 DRIVING WITHIN LANES OR CONTINUOUS LINES OF TRAFFIC.

- (a) Whenever any roadway has been divided into two or more clearly marked lanes for traffic, or wherever within the Municipality traffic is lawfully moving in two or more substantially continuous lines in the same direction, the following rules apply:
- (1) A vehicle shall be driven, as nearly as is practicable, entirely within a single lane or line of traffic and shall not be moved from the lane or line until the driver has first ascertained that the movement can be made with safety.
 - (2) Upon a roadway which is divided into three lanes and provides for the two-way movement of traffic, a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance, or when preparing for a left turn, or where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and is posted with signs to give notice of such allocation.
 - (3) Official signs may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction, regardless of the center of the roadway, or restricting the use of a particular lane to only buses during certain hours or during all hours, and drivers of vehicles shall obey the directions of such signs.
 - (4) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of every such device.
- (b) **Except for the operator of a bus entering or exiting an authorized bus stop, the driver of a motor vehicle shall not drive, upon any on-street path, lane, trail or multi-purpose lane designated by official signs or markings for the exclusive use of bicycles or other non-motorized transportation or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path, lane, trail, or multi-purpose lane unless entering or exiting a legal parking space, alley, private road, driveway, or preparing to make a turn.**

Section 2. Existing Section 432.08 are hereby repealed. The remaining provisions of Chapter 432 shall remain in full force and effect.

Section 3. It is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted 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 in meetings open to the public, in compliance with all legal requirements.

Section 4. This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

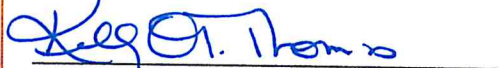
CITY OF UNIVERSITY HEIGHTS



Michael Dylan Brennan, Mayor

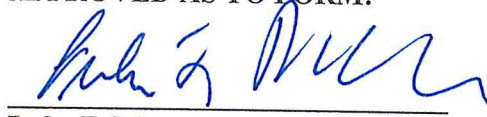
Passed: 07/23/2018

ATTEST:



Kelly M. Thomas, Clerk of Council

APPROVED AS TO FORM:



Luke F. McConville, Law Director