

VILLAGE OF WINDHAM
OHIO
RESOLUTION NO. R-2009-23

A RESOLUTION ESTABLISHING A POLICY AND AUTHORITY TO CARRY OUT A
POLICY WITH RESPECT TO SPECIAL EVENT PARKING AND DECLARING AN
EMERGENCY.

WHEREAS, the Village of Windham Traffic Code sets forth at Section 351.03 a prohibition against parking or standing motor vehicles in various areas within the Village of Windham; and

WHEREAS, the Council of the Village of Windham has determined to establish a policy for temporary relief from the parking regulations contained within Windham Traffic Code; and

WHEREAS, the Council of the Village of Windham has determined that it is desirable and appropriate to provide guidelines to the Windham Police Department under which the Village of Windham Police Department is authorized to provide temporary relief from the prohibited parking or standing regulations set forth in the Village of Windham Ordinances at Section 351.03; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The Police Chief of the Village of Windham, or his designee, is hereby authorized to grant a parking permit setting forth temporary relief from the parking prohibitions contained in Windham Codified Ordinance 351.03(a)(18) through (22) and in conformity with the criteria set forth in this Resolution.

Section 2: In order to be eligible to receive a temporary parking permit, the applicant must demonstrate:

- a. the application must be made by a resident with a permanent address within the Village.
- b. the request must set forth the specific areas where additional parking is requested, identifying those areas by street address.
- c. that if issued, the permit shall not allow the blocking of driveway access or the blocking of access to fire hydrants.
- d. in the event automobiles are parked in conformity with the permit for temporary parking, one-way access will be maintained to all locations affected by the permit at all times.
- e. a permit for temporary parking cannot be issued, barring extraordinary circumstances, based on an application originating from the same address more than one time in each calendar month.

f. permits shall be granted on a first-come, first-served basis.

Section 3: In the event an applicant demonstrates compliance with all of the criteria set forth in Section 2 of this Resolution, a written permit may be issued. Oral permission without a written permit shall carry no force in effect. A permit may be for a period of up to twelve (12) hours only. Permits are granted in the sole discretion of the Chief of Police of the Village of Windham or his designee.

Section 4: This Resolution is declared to be an emergency measure effective immediately upon its passage by Council and approval by the Mayor, for the reason that ongoing difficulties with respect to temporary parking have occurred and continue to occur within the Village of Windham, and that the health, safety and welfare of the citizens of Windham, Ohio are advanced by granting this discretionary authority to the Chief of the Village of Windham Police Department.

Section 5: It is hereby found and determined that all actions of this 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

First Reading: June 23, 2009.

Second Reading: July 28, 2009.

Third Reading: August 18, 2009

Passed by Council on August 18, 2009. Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mrs. Meszaros, Mr. Slusher Nays: Mrs. Rininger.

Adopted: _____

Approved: _____

Effective: _____

By: _____

Robert W. Donham, II – Mayor

Attest:

Fiscal Officer - Lloyd Billman

Approved as to form:

Village Solicitor – Thomas Reitz