DATE:	August 1, 2022	1 <sup>ST</sup> READING: August 1, 2022	
INTRODUCED BY:	Councilwoman Swenk	2 <sup>ND</sup> READING:	
<b>REFERRED BY:</b>		3 <sup>RD</sup> READING:	
TEMPORARY NO:	T 122-2022	ADOPTED:	
		EMERGENCY	

## **ORDINANCE NO.**

## AN ORDINANCE AMENDING THE PENALTY SECTION OF N.R.C.O. SECTION 432.30(g)(1), *STOPPING FOR SCHOOL BUS*.

WHEREAS, a City's primary responsibility is to provide for the health, safety, and general welfare of its citizens; and

**WHEREAS,** for the protection of our children, the City has adopted N.R.C.O. Section 432.30, *Stopping for School Bus*, which imposes criminal and administrative penalties for drivers who pass school buses while they are picking up and/or dropping off children; and

**WHEREAS**, currently N.R.C.O. Section 432.30(g)(1): provides:

Whoever violates subsection (a) of this section may be fined an amount not to exceed five hundred dollars (\$500.00). A person who is issued a citation for a violation of subsection (a) of this section is not permitted to enter a written plea of guilty and waive the person's right to contest the citation in a trial but instead must appear in person in the proper court to answer the charge; and

**WHEREAS,** despite the penalties imposed by N.R.C.O. Section 432.30, drivers continue to violate this ordinance, thereby posing a threat to the safety of our children; and

**WHEREAS,** Council desires to afford additional protection by increasing the potential penalties for drivers who illegally pass a school bus in violation of N.R.C.O. Section 432.30; and

WHEREAS, increasing the penalty also allows the Prosecutor more flexibility and impact when assigning an appropriate penalty to this infraction.

## NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

**SECTION 1.** N.R.C.O. Section 432.30(g)(1) is hereby amended to the following:

Whoever violates subsection (a) of this section shall pay a mandatory minimum fine of Three Hundred and Fifty Dollars (\$350.00) plus court costs up to and not to exceed One Thousand Dollars (\$1,000) plus court costs in addition to any other penalty allowed by law or in this Ordinance. Whoever violates subsection (a) of this section and has a prior violation of this section (or an ordinance substantially similar within the State of Ohio) within two years of the present violation shall pay a mandatory minimum fine of Seven Hundred and Fifty Dollars (\$750.00)

plus court costs up to and not to exceed One Thousand Dollars (\$1,000) plus court costs in addition to any other penalty allowed by law or in this Ordinance.

**SECTION 2.** All other sections, terms, and provisions of N.R.C.O. Section 432.30 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

PASSED:\_\_\_\_\_

PRESIDENT OF COUNCIL

ATTEST:\_\_\_\_\_

CLERK OF COUNCIL

APPROVED:\_\_\_\_\_

MAYOR