

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 22-62

INTRODUCED BY: Mayor Antoskiewicz  
Co-Sponsor: Marnecheck, Carbone-McDonald

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 4 TRAFFIC CODE, TITLE SIX, CHAPTER 432 OPERATION GENERALLY, SECTION 432.30 STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN, PARAGRAPH (f)(1), AND DECLARING AN EMERGENCY

WHEREAS: Council finds that it bears no higher obligation than the obligation to protect the lives and well-being of the children in North Royalton; and

WHEREAS: Council finds that the increasing number of violations of Ordinance 432.30 prohibiting the improper, illegal and gravely dangerous act of passing a school bus while in the process of collecting or discharging children calls for a significant response in the application of the potential penalties for such violations; and

WHEREAS: Council finds it is therefore necessary to amend Part 4 Traffic Code, Title Six, Chapter 432 Operation Generally, Section 432.30 Stopping for School Bus; Actuating Visual Signals; Discharging Children, Paragraph (f)(1) of the Codified Ordinances of the City of North Royalton by raising the violation to a Misdemeanor of the First Degree as defined by the Ohio Revised Code and as incorporated into the North Royalton Codified Ordinances in Section 698.02; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 4 Traffic Code, Title Six, Chapter 432 Operation Generally, Section 432.30 Stopping for School Bus; Actuating Visual Signals; Discharging Children, Paragraph (f)(1) of the Codified Ordinances of the City of North Royalton be and is hereby amended as follows:

432.30 STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN

(f) (1) Whoever violates division (a) of this section ~~may be fined an amount not to exceed one thousand dollars (\$1000.00)~~ **is guilty of a misdemeanor of the first degree as defined in the Ohio Revised Code and shall be sentenced according to the provisions of NRCO Section 698.02 and subject to a fine of not more than \$1000.00 and a term of incarceration of not more than 180 days.** A person who is issued a citation for a violation of division (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.

Section 2. Section 432.30 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 432 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. 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.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety, and welfare of the city, and for the further reason that it is immediately necessary to amend Part 4 Traffic Code, Title Six, Chapter 432 Operation Generally, Section 432.30 Stopping for School Bus; Actuating Visual Signals; Discharging Children, Paragraph (f)(1) of the Codified Ordinances of the City of North Royalton for the protection of the youngest and most vulnerable of our citizens.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: April 19, 2022

DATE APPROVED: April 21, 2022

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES

First reading April 5, 2022  
Second reading suspended  
Third reading April 19, 2022

YEAS: Marnecheck, Nickell, Barath, Krejci,  
Carbone-McDonald, Wos

NAYS: none

ABSENT: Dietrich