

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1991-20

Passed January 21, 19 92

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO, WITH RESPECT TO CRIMINAL AND TRAFFIC RELATED MATTERS.

WHEREAS, it has come to the attention of the Council of the Municipality that various state statues upon which many of the Municipal Ordinances are based have been amended and changed; and

WHEREAS, it is deemed necessary and responsible to update the Ordinances of the said Municipality in order to make the laws consistent with the state statue.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO, THAT:

SECTION I:

Section 70.99 of the Code of Ordinances of the Municipality of Brookville, Ohio, shall be amended to include Subparagraph A (4) whoever violates division A of Section 72.65 of the Code of Ordinances of the Municipality of Brookville, Ohio may be fined an amount not to exceed \$500.00.

SECTION II:

That Section 74.31 of the Code of Ordinances of the Municipality of Brookville, Ohio shall be amended to read as follows:

A. No person shall operate on any highway or other public or private property open to the public for vehicular travel or parking, lease, or rent any motor vehicle that is registered in this state unless the motor vehicle conforms to the requirements as determined by the Director of Highway Safety of the State of Ohio in accordance with Chapter 119 of the Ohio Revised Code as well as in accordance with Section 4513.241 of the Ohio Revised Code and of any applicable rule adopted under this section.

B. No person shall install in or on any motor vehicle any glass or other material that fails to conform to the requirements of this section or of any rule adopted under this section.

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C. No use of motor vehicle dealer or new motor vehicle dealer as defined in Section 4517.01 of the Ohio Revised Code shall sell any motor vehicle that fails to conform to the requirements of this section or of any rule adopted under this section.

D. No reflectorized material shall be permitted upon or in any front windshield, sidewings, side window or rear window.

E. This section does not apply to the manufacturers tinting or glazing of motor vehicle windows or windshields that are otherwise in compliance with or permitted by Federal Motor Vehicle Safety Standards Number 205.

F. The rules adopted under this section may provide for persons who meet either of the following qualifications:

1. On the adoption date of this section or of any rule adopted under this section own a motor vehicle that does not conform to the requirements of this section or of any rule adopted under this section;

2. Establish residency in this state and are required to register a motor vehicle that does not conform to the requirements of this section or of any rule adopted under this section.

G. No person shall sell any new motor vehicle nor shall any new motor vehicle be registered, and no person shall operate any motor vehicle, which is registered in this state and which has been manufactured or assembled on or after January 1, 1936, unless such vehicle is equipped with safety glass, wherever glass is used in the windshields, doors, partitions, rear windows, and windows on each side immediately adjacent to the rear window.

"Safety glass" means any product composed of glass so manufactured, fabricated, or treated as substantially to prevent shattering and flying of the glass when it is struck or broken, or such other or similar product as may be approved by the registrar of motor vehicles.

The registrar shall approve and maintain a list of the approved types of glass conforming to recognized specifications, tests, and requirements for safety glass, and shall not issue a license for or relicense any motor vehicle subject to Sections 4511.01 to 4511.78, inclusive, 4511.99, and

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4513.01 to 4513.37, inclusive, of the Ohio Revised Code, unless such motor vehicle is equipped with such approved type of glass.

The registrar shall require sellers to certify in certificates of title the type of glass used in partitions, doors, windows, and windshields of each motor vehicle registered and whether said vehicle was manufactured or assembled after September 6, 1941.

Glass other than safety glass shall not be offered for sale, or sold for use in, or installed in any door, window, partition, or windshield which is required by this section to be equipped with safety glass.

SECTION III:

That Section 70.08 (A)(2) shall be amended to change the time period allotted therein from 24 hours to 7 days but in all other effects reaffirm as if originally rewritten.

SECTION IV:

That the Code of Ordinances of the Municipality of Brookville, Ohio shall be amended to include the following ordinance relating to bumper height:

(A) As used in this section:

1. "Passenger car: means any motor vehicle with motive power, designed for carrying ten persons or less, except a multipurpose passenger vehicle or motorcycle.
2. "Multipurpose passenger vehicle" means a motor vehicle with motive power, except a motorcycle, designed to carry ten persons or less, that is constructed either on a truck chassis or with special features for occasional off-road operation.
3. "Truck" means every motor vehicle, except trailers and semitrailers, designed and used to carry property and having a gross vehicle weight rating of ten thousand pounds or less.
4. "Manufacturer: has the same meaning as in Section 4501.01 of the Ohio Revised Code.

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5. "Gross vehicle weight rating" means the manufacturer's gross vehicle weight rating established for that vehicle.

(B) The director of highway safety, in accordance with Chapter 119 of the Ohio Revised Code, shall adopt rules in conformance with standards of the vehicle equipment safety commission, that shall govern the maximum bumper height or, in the absence of bumpers and in cases where bumper heights have been lowered or modified, the maximum height to the bottom of the frame rail, of any passenger car, multipurpose passenger vehicle, or truck.

(C) No person shall operate upon a street or highway any passenger car, multipurpose passenger vehicle, or truck registered in this state that does not conform to the requirements of this section or to any applicable rule adopted pursuant to this section.

(D) No person shall modify any motor vehicle registered in this state in such a manner as to cause the vehicle body or chassis to come in contact with the ground, expose the fuel tank to damage from collision, or cause the wheels to come in contact with the body under normal operation, and no person shall disconnect any part of the original suspension system of the vehicle to defeat the safe operation of that system.

(E) Nothing contained in this section or in the rules adopted pursuant to this section shall be construed to prohibit either of the following:

1. The installation upon a passenger car, multipurpose passenger vehicle, or truck registered in this state of heavy duty equipment, including shock absorbers and overload springs;

2. The operation on a street or highway of a passenger car, multipurpose passenger vehicle, or truck registered in this state with normal wear to the suspension system if the normal wear does not adversely affect the control of the vehicle.

(F) This section and the rules adopted pursuant to it do not apply to any specially designed or modified passenger car, multipurpose passenger vehicle, or truck when operated off a street or highway in races and similar events.

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SECTION V:

This Ordinance shall revoke and rescind all Ordinances, parts of Ordinances, Resolutions and part of Resolutions that are in conflict herewith.

PASSED this 21st day of January, 1992.

ATTEST:


E. EUGENE ROESER, Clerk


MICHAEL DUNCAN, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1991-20 passed by the Council of said Municipality on the 21st day of January, 1992.


E. EUGENE ROESER, Clerk

CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1991-20 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 24th day of January, 1992 to the 22nd day of February, 1992, both days inclusive.


E. EUGENE ROESER, Clerk