

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1986-06

Passed June 2, 1986

AN ORDINANCE AMENDING ORDINANCE 95.06 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the original Ordinance 95.06 of the Code of Ordinances of the Municipality of Brookville, Ohio was drafted prior to the popular use of three-wheel vehicles and other types of recreational and all-purpose vehicles; and

WHEREAS, it is becoming apparent that the use of all-purpose vehicles in the area of parks is increasing; and

WHEREAS, it further appearing that it is in the best interest of the public welfare and safety of the citizens of the Municipality of Brookville, Ohio, to place certain restrictions on the operations of various all-purpose vehicles in municipal parks.

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

## SECTION I:

Section 95.06 (A) shall be amended to read as follows:

Permitted Areas: No person shall operate a motor vehicle or motorcycle or any other all-purpose vehicle, whether licensed or unlicensed in the park except on and within roads and/or trails provided for such vehicles and no person shall drive a motor vehicle, motorcycle or any other all-purpose vehicle, whether licensed or unlicensed, on trails or roads in violation of signs designating the trail or road to be only for the uses of a specific type or types of vehicles.

## SECTION II:

Section 95.06 (B) shall be amended to read as follows:

Reckless Operation: No person shall operate a motor vehicle, motorcycle or any other all-purpose vehicle in a park in such a manner as to endanger the operator or any other person or any property.

## SECTION III:

Section 95.06 (C) shall be amended to read as follows:

No person shall operate a motor vehicle, motorcycle or any other all-purpose vehicle in a park in excess of the posted speed limit.

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## SECTION IV:

Section 95.06 (D) shall be amended to read as follows:

**Parking:** No person shall park any motor vehicle, motorcycle or any other all-purpose vehicle in a park except in places designated by the Municipality for such purposes.

## SECTION V:

Section 95.06 (E) shall be amended to read as follows:

**After Hour Parking:** No person shall park or leave a motor vehicle, motorcycle or any other all purpose vehicle in an area of a park at a time when that area is not open to the public.

## SECTION VI:

**Impounding Vehicle:** Upon finding a motor vehicle, motorcycle or any other all-purpose vehicle parked in violation of the rules and regulations of the Municipality or being used by any person engaged in any violation of this Ordinance, a Police Officer may remove such motor vehicle, motorcycle or all-purpose vehicle or cause it to be removed to a location, in or outside of a park where it may be kept until the owner or his authorized representative obtains an order from the Police releasing the vehicle to its owner or his authorized representative.

## SECTION VII:

Section 95.06 (H) shall be amended to read as follows:

**Definition:** All purpose vehicle shall mean any self-propelled vehicle designated primarily for cross-country travel on land and/or water or on more than one type of terrain and steered by wheels or caterpillar treads or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, minibikes, and trail bikes, but excluding any self-propelled vehicle not principally used for purposes of personal transportation, any motor vehicle or aircraft required to be registered under Chapter 4503 or Chapter 4561 of the Ohio Revised Code, and any vehicle excepted from definition of a motor vehicle by division (B) of Section 4501.01 of the Ohio Revised Code.

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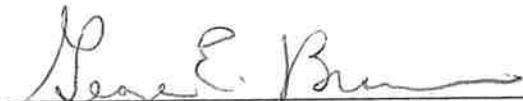
## SECTION VIII.

This Ordinance shall hereby be declared an emergency Ordinance for the reason that it is deemed necessary for the immediate preservation of the safety, health, and welfare of the citizens of the Municipality of Brookville, Ohio, and shall take effect immediately upon passage by two-thirds of the Council of the Municipality of Brookville, Ohio.

PASSED this 2nd day of June, 1986.

ATTEST:

  
E. EUGENE ROESEN, Clerk

  
GEORGE E. BROWN, 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. 1986-06 passed by the Council of said Municipality on the 2nd day of June, 1986.

  
E. EUGENE ROESEN, Clerk

## CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1986-06 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 5th day of June, 1986 to the 4th day of July, 1986 both days inclusive.

  
E. EUGENE ROESEN, Clerk