



LEGISLATIVE COVER MEMO

Introduction: August 15, 2022

Public Hearing: September 19, 2022

Effective Date: October 19, 2022

Agenda Item: **Ordinance 2022-22**

AMENDING CITY OF FRANKLIN CODIFIED ORDINANCE 351.03
(PARKING PROHIBITIONS ON STREETS AND RIGHT-OF-WAYS)
TO PROHIBITED MAILBOX BLOCKING

Submitted by: Jonathon Westendorf, City Manager

Scope/Description: This Ordinance amends the City's streets and right-of-ways parking regulations to prohibit parking within ten (10) feet of another property owner's mailbox.

Vote Required for Passage: Per Section 4.03 of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of Council members present.

Exhibits: Exhibit A: Section 351.03
Exhibit B: Mailbox Clearance Sign Application

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2022-22

AMENDING CITY OF FRANKLIN CODIFIED ORDINANCE 351.03 (PARKING PROHIBITIONS ON STREETS AND RIGHT-OF-WAYS) TO PROHIBITED MAILBOX BLOCKING

WHEREAS, City of Franklin Codified Ordinance 351.03 enumerates certain types of parking prohibited on streets and rights of ways within the City;

WHEREAS, the City of Franklin Council desires to amend Codified Ordinance 351.03 to also prohibit persons from blocking or parking in such close proximity to another property owner's mailbox so as to impede the provision of mail service;

THE CITY OF FRANKLIN HEREBY ORDAINS, at least four (4) members of the Council elected thereto concurring, that:

Section 1. City Codified Ordinance 351.03 is hereby amended as set forth in Exhibit A, attached hereto.

Section 2. Per City Codified Ordinance 301.03(A), the Director of the Department of Safety is hereby authorized to issue supplemental rules and regulations to effectuate the fair and efficient application of Section 351.03, as herein amended; and

Section 3. It is found 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 that resulted in this formal action occurred in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

INTRODUCED: August 15, 2022.

ADOPTED: September 19, 2022.

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2022-22 passed by that body on September 19, 2022.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Law Director

FRANKLIN CODIFIED ORDINANCE

Chapter 351 – Parking on Public or Private Property; Parking Facilities

351.03 Parking Prohibitions On Streets And Right-Of-Ways

- (a) Prohibitions: No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code or ORC 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37, or while obeying the directions of a police officer or a traffic control device, in any of the following places:
- (1) On a sidewalk, except as provided in division (b) of this section;
 - (2) In front of a public or private driveway;
 - (3) Within an intersection;
 - (4) Within ten feet (10') of a fire hydrant;
 - (5) On a crosswalk;
 - (6) Within twenty feet (20') of a crosswalk at an intersection;
 - (7) Within thirty feet (30') of, and upon the approach to, any flashing beacon, stop sign, or traffic control device;
 - (8) Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;
 - (9) Within fifty feet (50') of the nearest rail of a railroad crossing;
 - (10) Within twenty feet (20') of a driveway entrance to any fire station, and on the side of the street opposite the entrance to any fire station, within seventy-five feet (75') of the entrance when it is properly posted with signs;
 - (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
 - (12) Alongside any vehicle stopped or parked at the edge or curb of a street or highway;
 - (13) Upon any bridge or other elevated structure upon a street or highway, or within a street or highway tunnel;

- (14) At any place where signs prohibit stopping;
- (15) Within one foot (1') of another parked vehicle;
- (16) On the roadway portion of a freeway, expressway, or thruway; ~~and/or~~
- (17) On a curb or street lawn area-; and/or
- (18) Within ten (10) feet of another property owner's mailbox.**

- (b) Exceptions: A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred and fifty (150) cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle; provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of Section 311.04 of this Traffic Code or ORC 4511.711.
- (c) Penalties: Except as otherwise provided in this division, whoever violates division (a) of this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(ORC 4511.68)

(Ord. 2012-17. Passed 10-1-12; Ord. 2014-06. Passed 7-7-14; Ord. 2014-13. Passed 12-1-14.)

City of Franklin

1 Benjamin Franklin Way, Franklin, Ohio 45005
(937) 746-9921 www.FranklinOhio.org



Mailbox Clearance Signage Application

Franklin City Code (Section 351.03) requires that vehicles not park in front and 10 feet on either side of a mailbox. Unfortunately, not all drivers adhere to this requirement and may park within the restricted postal zone, thus impeding vehicle-served mail delivery. Parking enforcement may be contacted at 937-746-2882 to respond to this problem. In addition, the Division of Safety can mail you stickers to place on your mailbox which read, "Do Not Block Mailbox 8am- 6pm Delivery Days." The stickers are sent at no cost and intended to be placed on both sides of the mailbox as warnings to drivers not to park vehicles there.

In the event neither stickers nor parking enforcement appears to curb the illegal parking behavior, constituents have the option to purchase mailbox clearance signage. This is a specially designated sign, typically placed behind the mailbox, with a double arrow which has an international no parking symbol and reads, "10 Feet Both Sides of Mailbox 8am-6pm Delivery Days." Installing this sign requires a fee of \$75 and helps clarify the enforceable zone for parkers. The process usually takes 4-6 weeks and if the installation is deemed infeasible the \$75 will be refunded to the applicant.

To apply, complete the form below and mail with a check for \$75 with "City of Franklin" as payee to:

Parking Control, City of Franklin Division of Safety
1 Benjamin Franklin Way
Franklin, OH 45005

Applicant Name: _____ Signature: _____

Street Address: _____

Contact Phone: _____ Contact e-Mail: _____

IF PROPERTY IS NOT OWNED BY APPLICANT: Property Owner Name: _____

Property Owner Signature (required as co-applicant): _____

"I request that the mailbox clearance sign be emplaced as indicated by an "X" on the following diagram:"

