

AN ORDINANCE AMENDING SECTION 432.30, "STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN" OF THE TRAFFIC CODE; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the City Administration has recommended increasing the penalty for those drivers who are found to have violated Section 432.30 of the Traffic Code, "Stopping for School Bus; Actuating Visual Signals; Discharging Children."

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Hudson, Summit County, State of Ohio that:

Section 1: Section 432.30 of the Traffic Code of the Codified Ordinances of the City of Hudson is hereby amended to read as follows:

**"432.30 STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN.**

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(f)(1) ~~Whoever violates division (a) of this section may be fined an amount not to exceed five hundred dollars (\$500.00).~~ **Whoever violates division (a) of this section is guilty of an unclassified misdemeanor and shall be punished by a maximum fine of seven hundred fifty dollars (\$750.00) and/or imprisonment for a maximum period of thirty (30) days. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to the same or a substantially equivalent ordinance or law, then whoever violates division (a) of this section is guilty of a misdemeanor of the first degree.** 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.

(2) In addition to and independent of any other penalty provided by law, the court or Mayor may impose upon an offender who violates this section a class seven suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license or nonresident operating privilege from the range specified in Ohio R.C. 4510.02(A)(7). **If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to the same or a substantially equivalent ordinance or law, then the Court or Mayor shall impose upon an offender who violates this section a class seven suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license or nonresident operating privilege from the range specified in Ohio R.C. 4510.02(A)(7) for a definite period of thirty (30) days to one (1) year.** When a license is suspended under this section, the court or Mayor shall cause the offender to deliver the

license to the court, and the court or Clerk of the Court immediately shall forward the license to the Registrar of Motor Vehicles, together with notice of the court's action.

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Section 2. That in all respects, other than the amendments in Section 1 of this Ordinance, the provisions of Section 432.30 of the Traffic Code of the Codified Ordinances of the City of Hudson 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 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, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that, because the school year has already begun, it is necessary to take quick action to ensure the safety of Hudson’s school-age children as they embark and disembark their school busses this school year; wherefore, this Resolution shall go into effect immediately upon its passage, provided it receives the affirmative vote of five (5) members of Council elected thereto, except that six (6) affirmative votes shall be required if all members of Council are present at the meeting at which it is passed; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED:

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David A. Basil, Mayor

ATTEST:

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Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 19-126 was duly passed by the Council of said Municipality on \_\_\_\_\_, 2019.

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Elizabeth, Clerk of Council

First Reading: September 3, 2019