

AN ORDINANCE AMENDING CHAPTER 373, C.O.S., ENTITLED "BICYCLES AND MOTORCYCLES", BY DELETING SECTIONS 373.08, 373.11(a), 373.12, 373.16, 373.17, 373.18, 373.19, 373.20, 373.21, 373.22, 373.23 AND 373.25 THEREOF IN THEIR ENTIRETY AND AMENDING SECTION 373.09, ENTITLED "CARE FOR SAFETY OF PEDESTRIANS", TO REPLACE THE WORDS "EXTREME CARE" WITH "REASONABLE CARE".

WHEREAS, after careful review of the City's regulations regarding bicycles and motorcycles, this City Council has determined there is no need for the regulations prescribed in Sections 373.08, 373.11(a), 373.12, 373.16, 373.17, 373.18, 373.19, 373.20, 373.21, 373.22, 373.23 and 373.25; and

WHEREAS, this City Council has also decided to be clear in Section 373.09 that people need to exercise "reasonable" care as opposed to "extreme" care which has a clouded definition; and

WHEREAS, this City Council is desirous of making those changes to the City's Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Chapter 373, C.O.S. entitled "Bicycles and Motorcycles", particularly Sections 373.08, 373.11(a), 373.12, 373.16, 373.17, 373.18, 373.19, 373.20, 373.21, 373.22, 373.23 and 373.25 be, and the same are, hereby repealed.

SECTION 2. That Chapter 373, C.O.S. entitled "Bicycles and Motorcycles", particularly Section 373.09, which formerly read:

373.09 CARE FOR SAFETY OF PEDESTRIANS.

(a) Every person operating a bicycle shall exercise extreme care for the safety of pedestrians and must yield the right-of-way to pedestrians on sidewalks and crosswalks. (1979 Code 75.07)

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

be, and the same is hereby amended to read henceforth as follows:

373.09 CARE FOR SAFETY OF PEDESTRIANS.

(a) Every person operating a bicycle shall exercise **reasonable** care for the safety of pedestrians and must yield the right-of-way to pedestrians on sidewalks and crosswalks. (1979 Code 75.07)


(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

SECTION 3. That all other terms and provisions of Chapter 373 not amended herein, be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees and subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That this ordinance was adopted pursuant to Section 4.11 Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 1/10/19

ATTEST 
Bonnie J. Emahiser
CLERK OF COUNCIL


FILED WITH MAYOR 1/14/19

FILED WITH CLERK 1/14/19

APPROVED AS TO FORM


Amber K. Zibritsky
LAW DIRECTOR


Matt Riehl
PRESIDENT OF COUNCIL

APPROVED 
John Pribonic
MAYOR

EFFECTIVE DATE 2/13/19