



# City of Columbus Legislation Report

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

**File Number: 1182-2014**

**30 day**

**File ID:** 1182-2014

**Type:** Ordinance

**Status:** Second Reading

**Version:** 1

**\*Committee:** Rules & Reference Committee

**File Name:** amend various sections in Titles 21, 33, and 41 of the Columbus City Code, 1959, to make bicycling in Columbus safer

**File Created:** 05/15/2014

**Final Action:**

**Auditor Cert #:**

**Auditor:** When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Randy Bowman 5-2464

**Floor Action (Clerk's Office Only)**

**Mayor's Action**

**Council Action**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date Passed/ Adopted

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Veto

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

**Title:** To enact, amend, and repeal various sections of Chapters 2101, 2105, 2113, 2131, 2151, 2155, 2173, 3303, and 4101 of the Columbus City Codes to make bicycling in Columbus safer by including best practice laws to make bicycling in Columbus more attractive by allowing more bicycle parking on public streets, to correct conflicting language in the Columbus parking code, to bring the traffic code into compliance with portions of state laws, to remove antiquated language from portions of the traffic code, and to add gender inclusive language in portions of the traffic code.

**Sponsors:** Michelle M. Mills, Zachary M. Klein and A. Troy Miller

**Attachments:** Ord 1182-2014 Attachment 1

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**Approval History**

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<b>Version</b>	<b>Date</b>	<b>Approver</b>	<b>Action</b>
1	05/20/2014	Steve Wentzel	Approved
1	05/20/2014	ATTORNEY APPROVER	Disapproved
<b>Notes</b>	wsb		
1	05/20/2014	Steve Wentzel	Approved
1	05/28/2014	ATTORNEY APPROVER	Approved
<b>Notes</b>	JTC		
1	05/29/2014	Paul Rakosky	Approved
1	05/29/2014	EBOCO APPROVER	Approved
1	05/29/2014	Auditor Reviewer	Approved
<b>Notes</b>	HJD/mjp		
1	05/29/2014	AUDITOR APPROVER	Approved
<b>Notes</b>	HJD/bam		
1	05/30/2014	ATTORNEY APPROVER	Approved
<b>Notes</b>	JTC		

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## History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	06/09/2014	Read for the First Time				
1	Columbus City Council	06/16/2014	Tabled to Certain Date				Pass
<b>Notes:</b> TABLED UNTIL 6/23/2014							
Absent: 1 Priscilla Tyson							
Affirmative: 6 Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, and Andrew Ginther							
1	Columbus City Council	06/23/2014					

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

## Explanation

### 1. BACKGROUND

The purpose of this legislation is to continue the development of policy, rules, and regulations pertaining to bicycling. This legislation furthers the consideration of an evolving understanding of complete streets, the importance of alternate means of transportation, the promotion of better community health, and improving safety for pedestrians and bicyclists. This legislation further establishes and clarifies requirements for bikeways and sidewalks, including traffic laws intended to make Columbus roadways safer for all users, particularly pedestrians and bicyclists.

In addition, this legislation updates city code in order to harmonize city traffic ordinances with the changes made to Title 45 of the Ohio Revised Code as a result of the passage of House Bill 349 which went into effect on April 20, 2012; House Bill 51 which went into effect on July 1, 2013; House Bill 59 which went into effect on July 1, 2013; Senate Bill 194 which will go into effect on June 2, 2014; and House Bill 145 which is expected to go into effect later in 2014. This legislation also promotes parking in the City of Columbus by correcting conflicting language in the Parking Code, removes antiquated language from the Traffic Code, and adds gender inclusive language in portions of the Traffic Code.

This legislation is expected to result in safer roadways and more bicycle facilities to be completed in the City of Columbus.

On December 6, 1993, Columbus City Council adopted the *Columbus Comprehensive Plan* (Ordinance 2515-93.) The plan as adopted provides specific recommendations for adequate pedestrian facilities for all existing, expanded, and new developments regardless of the type of use, intensity, or zoning classification. The plan also recommends that the Department of Public Service develop a bikeways plan for the City of Columbus.

On November 29, 2007, Columbus City Council member Maryellen O'Shaughnessy held a public

meeting where the Department of Public Service presented an overview of past, present, and future complete streets-oriented efforts.

On June 9, 2008, City Council passed Ordinance 0849-2008 to adopt the *Bicentennial Bikeways Plan*, ordaining "that all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan."

The *Bicentennial Bikeways Plan* recommends adopting a complete streets policy that will "support the development of a complete system of bikeways, pedestrian facilities and shared-use paths, bicycle parking and safe crossings connecting residences, businesses, transit stops, and public places. The city will promote bicycling and walking for health, environmental sustainability, exercise, transportation, and recreation." The plan further recommends the on-street bike parking corral as "a relatively inexpensive solution to providing high-volume bicycle parking."

An on-street bike parking corral consists of converting one or more on-street vehicle parking spaces into on-street bicycle-only parking by installing bike racks in the street and protected from motor vehicles by removable curbs and flexible posts or bollards. According to the *Bicentennial Bikeways Plan*, "Bike Parking Corrals move bicycles off the sidewalks, and leave space for sidewalk café tables or pedestrians. Bicycle parking does not block sightlines like motor vehicles do, so it may be possible to locate bicycle parking in no-parking zones near intersections and crosswalks."

On July 14, 2008, Columbus City Council adopted Ordinance 0950-2008, the bicycle safety helmet law, which established greater safety requirements for children using bicycles in the city of Columbus, and which during deliberations of the legislation several inconsistencies were identified within Columbus City Code, and with Ohio Revised Code, which were agreed by City Council to defer to a future date.

On July 28, 2008, Columbus City Council adopted Resolution 0151X-2008 in support of furthering complete streets in the City of Columbus.

On July 28, 2008, Columbus City Council adopted Ordinance 1987-2008, which amended the Columbus City Code to correct inconsistencies with the Ohio Revised Code, which were identified during the deliberations for Ordinance 0950-2008.

On July 16, 2012, Columbus City Council adopted Ordinance 1465-2012, which amended the parking regulations of the City of Columbus for consideration of preserving the condition of public streets and greater bikeway connectivity and safety.

On February 3, 2014, Columbus City Council adopted Ordinance 0189-2014, which repealed the registration and licensure requirement for bicycles.

On April 8, 2014, the Transportation and Pedestrian Commission reviewed and recommended adoption of this legislation as proposed.

## **2. FISCAL IMPACT**

There is no cost to the City of Columbus at this time.

### **Title**

To enact, amend, and repeal various sections of Chapters 2101, 2105, 2113, 2131, 2151, 2155, 2173, 3303, and 4101 of the Columbus City Codes to make bicycling in Columbus safer by including best

practice laws to make bicycling in Columbus more attractive by allowing more bicycle parking on public streets, to correct conflicting language in the Columbus parking code, to bring the traffic code into compliance with portions of state laws, to remove antiquated language from portions of the traffic code, and to add gender inclusive language in portions of the traffic code.

### Body

**WHEREAS**, the City of Columbus recognizes through the *Columbus Comprehensive Plan*, adopted by Ordinance 2515-93, the benefits of sidewalks and other pedestrian facilities for safety, efficiency, and accessibility; and

**WHEREAS**, the *Columbus Comprehensive Plan* contains provisions calling for development of a bikeways plan for the City of Columbus; and

**WHEREAS**, City Council adopted Ordinance 0849-2008, the *Bicentennial Bikeways Plan*, ordaining "that all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan"; and

**WHEREAS**, the *Bicentennial Bikeways Plan* is intended to serve as a guide for development and the planning of future public infrastructure improvements and programs; and

**WHEREAS**, the *Bicentennial Bikeways Plan* recommends the modification of city codes to further complete streets in the City of Columbus by integrating bikeways within roadway and right-of-way definitions, addressing lawful use of the roadway and inclusion of bikeways in land development activities; and

**WHEREAS**, the *Bicentennial Bikeways Plan* recommends the on-street bike parking corral as "a relatively inexpensive solution to providing high-volume bicycle parking"; and

**WHEREAS**, an on-street bike parking corral consists of converting one or more on-street vehicle parking spaces into on-street bicycle-only parking by installing bike racks in the street and protected from motor vehicles by removable curbs and flexible posts or bollards; and

**WHEREAS**, bicycles are included in the definition of vehicles by Columbus City Code and therefore prohibited from parking in various situations intended to prohibit unsafe motor vehicle parking; and

**WHEREAS**, bicycle parking does not block sightlines at intersections like motor vehicles; and

**WHEREAS**, many of the best candidate locations for on-street bike parking corrals are near intersections or in other areas with vehicle parking is prohibited; and

**WHEREAS**, it is desirable to promote bicycling in Columbus by allowing bicycle parking on public streets where engineering judgment determines an on-street bike parking corral is safe; and

**WHEREAS**, City Council adopted Resolution 0151X-2008, resolving "that this Council supports the implementation of Complete Streets policies in Columbus, and urges the Public Service Department and the Transportation Division to include these policies in all street construction, reconstruction and repair project"; and

**WHEREAS**, Columbus City Council adopted Ordinance 0950-2008, the bicycle safety helmet law, which established greater safety requirements for children using bicycles in the City of Columbus, and which during deliberations of the legislation several inconsistencies were identified within Columbus City Code, and with Ohio Revised Code, which were agreed by City Council to defer to a future date; and

**WHEREAS**, Columbus City Council adopted Ordinance 1987-2008, which amended the Columbus City Code to correct inconsistencies with the Ohio Revised Code, which were identified during the deliberations for Ordinance 0950-2008; and

**WHEREAS**, the Ohio General Assembly has enacted HB 349 effective April 20, 2012, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 349 has created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly has enacted HB 51 and HB 59 effective July 1, 2013, which consist of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 51 and HB 59 have created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly has enacted SB 194 effective June 2, 2014, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of SB 194 has created a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, the Ohio General Assembly is expected to enact HB 145 effective later in 2014, which consists of a revision of certain portions of Ohio's traffic regulations; and

**WHEREAS**, the enactment of HB 145 would create a disparity between existing city traffic regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

**WHEREAS**, it is desirable to bring existing city traffic regulations into consistency with the general laws of the State of Ohio; and

**WHEREAS**, Columbus City Council adopted Ordinance 1465-2012, which amended the parking regulations of the City of Columbus for consideration of preserving the condition of public streets and greater bikeway connectivity and safety; and

**WHEREAS**, Columbus City Council adopted Ordinance 0189-2014, which repealed the registration and licensure requirement for bicycles; and

**WHEREAS**, portions of the Traffic Code contain language that is either antiquated or gender exclusive; and

**WHEREAS**, it is desirable to add gender inclusive language to the Traffic Code; and

**WHEREAS**, portions of the Parking Code contain conflicting language; and

**WHEREAS**, it is desirable to correct conflicting language in the Parking Code; now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

(See ORD 1182-2014 Attachment 1 for Sections 1-4)

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Section 1. That new sections 2101.039, 2101.071, 2101.164, 2101.167, 2101.259 and 2101.57 of the Columbus City Code, 1959, be enacted to read as follows:

2101.039 Beacon.

“Beacon” means a highway traffic signal with one or more signal sections that operate in a flashing mode.

2101.071 Commercial Truck.

“Commercial truck” means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.

2101.164 Highway traffic signal.

“Highway traffic signal” means a power-operated traffic control device by which traffic is warned or directed to take some specific action. “Highway traffic signal” does not include a power-operated sign, steadily illuminated pavement marker, warning light, or steady burning electric lamp.

2101.167 Hybrid beacon

“Hybrid beacon” means a type of beacon that is intentionally placed in a dark mode between periods of operation where no indications are displayed and, when in operation, displays both steady and flashing traffic control signal indications.

2101.259 Private road open to public travel

“Private road open to public travel” means a private toll road or road, including any adjacent sidewalks that generally run parallel to the road, within a shopping center, airport, sports arena, or other similar business or recreation facility that is privately owned but where the public is allowed to travel without access restrictions. “Private road open to public travel” includes a gated toll road but does not include a road within a private gated property where access is restricted at all times, a parking area, a driving aisle within a parking area, or a private grade crossing.

2101.57 Road service vehicle.

“Road service vehicle” means wreckers, utility repair vehicles, and state, county, and municipal service vehicles equipped with visual signals by means of flashing, rotating, or oscillating lights.

Section 2. That sections 2101.04, 2101.041, 2101.17, 2101.185, 2104.45, 2101.46, 2101.47, 2101.51, 2105.03, 2105.04, 2105.06, 2105.095, 2105.12, 2105.13, 2105.17, 2105.18, 2105.19, 2105.25, 2113.03, 2113.04, 2113.041, 2113.05, 2131.03, 2131.08, 2131.11, 2131.216, 2131.271, 2131.30, 2131.34, 2131.44, 2151.01, 2151.06, 2155.01, 2173.10, 2173.11, 3303.02, 4101.02, and 4101.19 of the Columbus City Codes, 1959, shall be amended to read as follows:

**2101.04 Bicycle.**

"Bicycle" means every device, other than a ~~tricycle~~ bicycle device designed solely for use as a play vehicle by a child, propelled solely by human power upon which ~~any~~ person may ride having either two (2) ~~tandem or more~~ wheels, ~~or one (1) wheel in the front and two (2) wheels in the rear~~, any of which is more than fourteen (14) inches in diameter.

**2101.041 Bikeway.**

"Bikeway" means a facility that explicitly provides for bicycle travel. A bikeway may vary from a completely separated facility to simple signed streets as follows:

- (a) "Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A



shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users is a facility for the exclusive use of bicycles, pedestrians and children's non-motorized vehicles separated from motor vehicle traffic except at bike crossings.

- (b) "Bike lane" (Class II Bikeway) is a marked lane contiguous to a travel lane within a roadway for the exclusive or semi-exclusive operation of bicycles in the same direction as the adjacent travel lane. The bike lane is physically separated from motor vehicle traffic by painted lines, pavement coloration, curbing, parked vehicles or other barriers.
- (c) "Bike route" (Class III Bikeway) utilizes existing streets and roads. No separation of motor vehicle and bicycle traffic is provided as only signs are present to indicate the course of the bike route.

### **2101.17 Intersection.**

"Intersection" means:

- (1) The area embraced within the prolongation or connection of the lateral curb lines, or if none, ~~then~~ the lateral boundary lines of the roadways of two streets or highways that which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets or highways that join joining at any other angle might may come into conflict. The junction of an alley or driveway with a street or highway does not constitute an intersection unless the street or highway at the junction is controlled by a traffic control device;
- (2) ~~Where~~ If a street or highway includes two roadways that are thirty feet or more apart, then every crossing of each roadway of such divided street or highway by an intersecting street or highway constitutes shall be regarded as a separate intersection. If ~~both~~ an intersecting streets or highways also includes two roadways thirty feet or more apart, then every crossing of any two roadways of such streets or highways constitutes shall be regarded as a separate intersection;
- (3) ~~The junction of an alley with a street or highway, or with another alley, shall not constitute an intersection. At a location controlled by a traffic control signal, regardless of the distance between the separate intersections as described in division (2) of this section:~~
  - (a) If a stop line, yield line, or crosswalk has not been designated on the roadway within the median between the separate intersections, the two intersections and the roadway and median constitute one intersection.
  - (b) Where a stop line, yield line, or crosswalk line is designated on the roadway on the intersection approach, the area within the crosswalk and any area beyond the designated stop line or yield line constitute part of the intersection.
  - (c) Where a crosswalk is designated on a roadway on the departure from the intersection, the intersection includes the area that extends to the far side of the crosswalk.

### **2101.185 Median.**

"Median" means the area between two roadways a continuous traffic control island usually in the center of a divided street or highway, measured from edge of traveled way to edge of traveled way, but excluding turn lanes. The width of a median may be different between intersections, between interchanges, and at opposite approaches of the same intersection. provided to separate traffic on adjacent roadways.

### **2101.45 Traffic.**

"Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, trackless trolleys, and other devices either singly or together, while using ~~any street or highway~~ for purposes of travel any street or highway or private road open to public travel.

**2101.46 Traffic control devices.**

"Traffic control devices" means ~~all~~ flaggers, signs, signals, markings, or other devices placed or erected used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, including signs denoting names of streets and highways or, in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

**2101.47 Traffic control signal.**

"Traffic control signal" means any ~~device, whether manually, electrically or mechanically operated,~~ highway traffic signal by which traffic is alternately directed to stop, to proceed, to change direction or ~~not~~ and permitted to change direction proceed.

**2101.51 Vehicle.**

"Vehicle" means every device, including a motorized or non-motorized bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device that is used exclusively upon stationary rails or tracks, or any other device, ~~other than a bicycle,~~ that is moved by human power.

**2105.03 Traffic regulations by service director.**

The service director is empowered to make regulations necessary to make effective the provisions of this traffic code and to make temporary regulations to cover emergencies or special conditions.

He or she shall also establish, by regulation promulgated in accordance with Section 121.05, Columbus City Codes, reasonable rates for public parking facilities operated by the department of public service. Such rates will be based upon relevant cost factors as well as market conditions prevailing in the area served by the facilities and the need for public parking facilities to expedite the flow of traffic. In the event the service director is not available due to emergency or other reason, and the placement of such devices may be necessary to preserve the public safety and welfare, he or she may delegate the promulgation of the relevant traffic orders in his or her stead.

**2105.04 Filing notice with clerk—Effective date of regulations.**

The service director shall announce his or her intention to act pursuant to and under the authority granted this chapter by filing notice thereof with the city clerk. Such action shall thereafter become effective at the date set forth in the notice unless council, by appropriate action, shall designate otherwise.

**2105.06 Traffic control signals.**

The service director shall establish and designate traffic control signal intersections, at which intersections shall be maintained traffic control signals to regulate traffic. The service director shall have all necessary authority to install at such locations any lawful traffic control signal when in his or her discretion it is necessary to expedite travel and promote public safety.

**2105.095 Turns against red signal.**

Right turns against a steady red signal indication at intersections are prohibited, provided a sign giving notice thereof is posted adjacent to the intersection.

Left turns against a steady red signal indication on a one-way street that intersects another one-way street on which traffic moves to the left are prohibited, provided a sign giving notice thereof is posted adjacent to the intersection.

The service director shall designate and place signs prohibiting turns against a red signal at all intersections where it is necessary to expedite travel or promote public safety.

Enforcement of violations of this section shall be pursuant to Chapter 2113, Columbus City Codes, or such other sections of the Traffic Code that are enacted to enforce obedience to traffic control devices.

**2105.12 Crosswalks.**

The service director shall establish and designate by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his or her opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he or she may deem necessary in the interests of public safety.

**2105.13 Safety zones.**

The service director shall establish safety zones of such kind and character and at such places as he or she may deem necessary for the protection of pedestrians.

**2105.17 Parking prohibitions or restrictions.**

Whenever the service director determines that traffic congestion on a street in the city is such that the restriction or prohibition of parking thereon is necessary to assure the safety of the public and the free flow of vehicular traffic, he or she may issue regulations restricting or prohibiting parking thereon. No prosecution shall be commenced for a violation of a regulation issued under this section unless adequate notice has been given to the public by means of signs or signals.

**2105.18 Traffic lanes—No passing zones.**

The service director shall:

- (a) Mark lanes for traffic on street pavements at such places as he or she may deem advisable in the interest of public safety; and
- (b) Determine those portions of any street where overtaking and passing other traffic or driving to the left of center, or offset center, or center line of the street or roadway would be especially hazardous, and may, by appropriate signs or markings on the street or roadway, indicate the beginning and end of such zones. Such zones shall be so designated in the following manner, to-wit: an auxiliary yellow line placed parallel and to the right of the normal center line or offset center line.

**2105.19 Bike lanes, bike routes, bike parking and bike crossings.**

The Public Service Director shall:

- (a) Mark roadway pavement with painted lines, pavement coloration, symbols, curbing or other barriers to establish bikeways and bicycle parking on streets according to the Bicentennial Bikeways Plan as he or she may deem advisable in the interest of public safety;
- (b) Mark by appropriate signs, bikeways and bicycle parking on streets according to the Bicentennial Bikeways Plan as he or she may deem necessary in the interest of public safety; and
- (c) Mark by markings on the pavement and appropriate signs, bike crossings at such places on streets according to the Bicentennial Bikeways Plan as he or she may deem necessary in the interest of public safety.

**2105.25 No engine braking zones.**

The service director shall establish no engine braking zones of such kind and character and at such locations as he or she may deem necessary for the protection of the public

**2113.03 Traffic control signal terms and lights.**

~~Whenever Highway traffic signal indications is controlled by traffic control signals exhibiting different illuminated colored lights, or controlled with illuminated arrows, the following colors only shall be used and the terms and lights shall have the following meanings for indicate and apply to operators of vehicles and pedestrians as follows:~~

~~(Aa) Circular Steady green alone or "go" signal indication:~~

~~(1) (a) Vehicular traffic, streetcars, and trackless trolleys facing a circular green signal indication are permitted to proceed straight through or turn right or left or make a u-turn movement except as such movement is modified by a lane-use sign, turn prohibition sign, lane marking, roadway design, separate turn signal indication, or other traffic control device. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:~~

~~(i) Pedestrians lawfully within an associated crosswalk;~~

~~(ii) Other vehicles lawfully within the intersection.~~

~~(b) In addition, vehicular traffic turning left or making a u-turn movement to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.~~

~~(2) Vehicular traffic, streetcars, and trackless trolleys facing a green arrow signal indication, displayed alone or in combination with another signal indication, are permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications displayed at the same time. Such vehicular traffic, streetcars, and trackless trolleys, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:~~

~~(a) Pedestrians lawfully within an associated crosswalk;~~

~~(b) Other traffic lawfully using the intersection.~~

~~(3) (a) Unless otherwise directed by a pedestrian signal indication, as provided in Section 2113.05, pedestrians facing a circular green signal indication are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal indication is first displayed.~~

~~(b) Pedestrians facing a green arrow signal indication, unless otherwise directed by a pedestrian signal indication or other traffic control device, shall not cross the roadway.~~

~~(1) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk, unless directed otherwise by a pedestrian signal or a traffic control device;~~

~~(2) All other traffic facing the signal except as provided under Section 2131.10 may proceed straight through or turn right or left, unless a sign at such place prohibits such turn. But such traffic shall yield the right of way to vehicles lawfully within the intersection and to pedestrians lawfully within a crosswalk at the time such signal is exhibited.~~

~~(Bb) Circular Steady yellow alone or "caution" when shown following the green or "go" signal indication:~~

~~(1) Vehicular traffic, streetcars, and trackless trolleys facing a steady circular yellow signal indication are thereby warned that the related green movement or the related flashing arrow movement is being terminated or that a steady red signal indication will be exhibited immediately thereafter when vehicular traffic, streetcars, and trackless trolleys shall not enter the intersection. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady circular yellow signal indication is displayed.~~

(2) Vehicular traffic facing a steady yellow arrow signal indication is thereby warned that the related green arrow movement or the related flashing arrow movement is being terminated. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady yellow arrow signal indication is displayed.

(3) Pedestrians facing a steady circular yellow or yellow arrow signal indication, unless otherwise directed by a pedestrian signal indication as provided in Section 2113.05 or other traffic control device, shall not start to cross the roadway.

(1) No pedestrian facing such signal shall enter the roadway;

(2) All other traffic facing the signal is warned that the red or signal will be exhibited immediately thereafter, and that pedestrians proceeding in accordance with the traffic control signals shall have the right of way.

(Ce) Steady Circular red alone or "stop" signal indication:

(1) (a) Vehicular traffic, streetcars, and trackless trolleys facing a steady circular red signal indication, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication to proceed is displayed except as provided in divisions (C)(1), (2), and (3) of this section.

(b) Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is displayed, vehicular traffic facing a steady circular red signal indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2) (a) Vehicular traffic, streetcars, and trackless trolleys facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

(b) When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be limited to the direction indicated by the arrow and shall be subject to the provisions that are applicable after making a stop at a stop sign.

(3) Unless otherwise directed by a pedestrian signal indication as provided in section 4511.14 of the Revised Code or other traffic control device, pedestrians facing a steady circular red or steady red arrow signal indication shall not enter the roadway.

(1) No pedestrian facing such signal shall enter the roadway;

(2) All other traffic facing the signal shall stop before entering the intersection and shall remain standing until authorized to proceed by a traffic control device except as provided in subsections (c)(3) and (c)(4);

(3) Unless a sign is in place prohibiting a right turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make a right turn after stopping as required by subsection (c)(2) of this section. Such vehicular traffic, shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(4) Unless a sign is in place prohibiting a left turn, vehicular traffic facing a steady red signal on a one-way street that intersects another one-way street on which traffic moves to the left may cautiously enter the intersection to make a left turn into the one-way street after stopping as required by subsection (c)(2) of this section, and yielding the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

~~(Dd) A flashing green signal indication has no meaning and shall not be used. Green arrow signal or a traffic control device authorizing turn with red or "stop":~~

~~(1) — No pedestrian facing such signal or device shall enter the roadway;~~

~~(2) — All other traffic facing such signal or device may cautiously enter the intersection only to make the movement indicated by the green arrow or device, and shall yield the right-of-way to pedestrians lawfully within the crosswalk and to other traffic lawfully using the intersection.~~

~~(Ee) Flashing yellow Green arrow signal indication alone:~~

~~(1) (a) Vehicular traffic, on an approach to an intersection, facing a flashing circular yellow signal indication, is permitted to cautiously enter the intersection to proceed straight through or turn right or left or make a u-turn movement except as such movement is modified by lane-use signs, turn prohibition signs, lane markings, roadway design, separate turn signal indications, or other traffic control devices. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:~~

~~(i) Pedestrians lawfully within an associated crosswalk;~~

~~(ii) Other vehicles lawfully within the intersection.~~

~~(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.~~

~~(2) (a) Vehicular traffic, on an approach to an intersection, facing a flashing yellow arrow signal indication, displayed alone or in combination with another signal indication, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or other such movement as is permitted by other signal indications displayed at the same time. Such vehicular traffic, including vehicles turning right or left or making a u-turn, shall yield the right-of-way to both of the following:~~

~~(i) Pedestrians lawfully within an associated crosswalk;~~

~~(ii) Other vehicles lawfully within the intersection.~~

~~(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.~~

~~(3) Pedestrians facing any flashing yellow signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.~~

~~(4) When a flashing circular yellow signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable.~~

~~(1) — Pedestrians facing a vertical green arrow signal may proceed across the roadway within any marked or unmarked crosswalk unless directed otherwise by a pedestrian signal or traffic control device;~~

~~(2) — All other traffic facing such signal may enter the intersection to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.~~

~~(F) Flashing red signal indication:~~

~~(1) Vehicular traffic, on an approach to an intersection, facing a flashing circular red signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the~~

intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2) Pedestrians facing any flashing red signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing red signal indication is first displayed.

(3) When a flashing circular red signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory requirements of the other traffic control device, which might not be applicable at all times, are currently applicable. Use of this signal indication shall be limited to supplementing stop, do not enter, or wrong way signs, and to applications where compliance with the supplemented traffic control device requires a stop at a designated point.

(Gf) Signals shown simultaneously:

Where more than one traffic control signal or device is shown simultaneously, vehicular traffic shall comply with the traffic control signal or device applicable to the traffic lane and direction in which it is proceeding or about to proceed.

(Hg) Changing signals:

Any traffic lawfully upon the roadway within an intersection at the time a traffic control signal changes may continue cautiously through the intersection with due regard for the safety and rights of all persons using the roadway.

(Ih) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal. ~~Yellow arrow signal:~~

~~(1) — No pedestrian facing such signal shall enter the roadway;~~

~~(2) — All other traffic facing the signal is warned that the protected movement indicated by the preceding green arrow is terminated and that pedestrians proceeding in accordance with traffic control signals shall have the right of way.~~

(J) This section does not apply at railroad grade crossings. Conduct of drivers of vehicles, trackless trolleys, and streetcars approaching railroad grade crossings shall be governed by Sections 2131.38 and 2131.39.

#### **2113.04 - Signal to control lane direction of travel.**

~~(a) The meanings of lane-use control signal indications are Whenever it is necessary to indicate and control the direction of travel in a traffic lane or lanes of a street or highway for the purpose of reversing the direction of traffic in the lane, rectangular signal units shall be placed over each reversible lane and shall apply to operators of vehicles as follows:~~

~~(1) A steady Rectangular signal unit with downward pointing illuminated green arrow: A road user is permitted to drive Traffic facing such signal may travel in the lane over which the green arrow signal indication is shown located.~~

~~(2) A steady yellow "X": A road user is to prepare to vacate the lane over which the signal indication is located because a lane control change is being made to a steady red "X" signal indication.~~

~~(3) A steady white two-way left-turn arrow: A road user is permitted to use a lane over which the signal indication is located for a left turn, but not for through travel, with the understanding that common use of the lane by oncoming road users for left turns also is permitted.~~

~~(4) A steady white one-way left-turn arrow: A road user is permitted to use a lane over which the signal indication is located for a left turn, without opposing turns in the same lane, but not for through travel.~~

~~(5) A steady Rectangular signal unit with an illuminated red "X": A road user is Traffic facing such signal shall not permitted to use center or travel in any the lane over which the signal indication grade~~

crossings "X" signal is located shown and that this signal indication shall modify accordingly the meaning of other traffic controls present.

(b) Failure to obey the requirements of this section constitutes a violations of Section 2113.01.

**2113.041 Driver's duties upon approaching intersection with ambiguous or non-working traffic signal.**

(a) The driver of a vehicle who approaches an intersection where traffic is controlled by traffic control signals shall do all of the following, if the signal facing ~~him~~the driver ~~either~~ exhibits no colored lights or colored lighted arrows ~~or~~, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or the signals are otherwise malfunctioning, including the failure of a vehicle detector to detect the vehicle :

- (1) Stop at a clearly marked stop line, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;
- (2) Yield the right-of-way to all vehicles, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;
- (3) Exercise ordinary care while proceeding through the intersection.

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2113.05 Pedestrian control signals.**

Whenever special pedestrian signals exhibiting the words "walk," "don't walk" or the symbol of a walking person or an upraised palm are in place, such signals shall indicate the following instructions:

- (a) "Walk" or the symbol of a A steady walking person signal indication, which symbolized "walk," means that a pedestrian: Pedestrians facing such the signal indication is permitted to start to cross may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the operator of all indication, possibly in conflict with turning vehicles, streetcars, or trackless trolleys. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that the walking person signal indication is first shown.
- (b) "Don't walk" or the symbol of an A flashing upraised palm: No hand signal indication, which symbolized "don't walk" means that a pedestrian shall not start to cross the roadway in the direction of the signal indication, but that any predestrian who has already started to cross on a steady walking person signal indication shall proceed to the far side of the traveled way of the street or highway, unless otherwise directed by a traffic control device to proceed only to the median of a divided highway or only to some other island or pedestrian refuge area.
- (c) A steady upraised hand signal indication means that a pedestrian shall not enter the roadway in the direction of the signal indication.
- (d) Nothing in this section shall be construed to invalidate the continued use of pedestrian control signals utilizing the words "wait", "walk," or "don't walk" if those signals were installed prior to January 1, 2004 the effective date of this ordinance.
- (e) A flashing walking person signal indication has no meaning and shall not be used.
- (f) Failure to obey the requirements of this section constitutes a violation of Section 2113.01.

**2131.03 Overtaking, passing to left; driver's duties.**

(a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:



- (1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in division (a)(3) of this section, signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
  - (2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.
  - (3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in Section 2131.31, a limited access highway as defined in Section 5511.02 of the Ohio Revised Code or a highway with four (4) or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.
  - (4) When overtaking a bicycle, the safe distance in division (1) of this section shall be no less than six (6) feet for the operator of a commercial trailer, commercial truck, semitrailer, trailer, or bus, except as provided in division (5) of this section.
  - (5) When overtaking a bicycle, the safe distance in division (1) of this section shall be no less than three (3) feet for a bus operated by a transit agency that has implemented a training program that promotes safe bus operation and any other motor vehicle except as provided in division (4) of this section.
- (b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2131.08 Driving within lanes or continuous lines of traffic.**

- (a) Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, or whenever traffic is lawfully moving in two (2) or more substantially continuous lines in the same direction, the following rules apply:
- (1) A vehicle shall be driven, as nearly as is practicable, entirely within a single lane or line of traffic and shall not be moved from such lane or line until the driver has first ascertained that such movement can be made with safety.
  - (2) lanes and provides for two (2) way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or when preparing for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is posted with signs to give notice of such allocation.
  - (3) Official signs may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of such signs.
  - (4) Official traffic control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device.
  - (5) Except as provided in Section 2173.105, the driver of a motor vehicle shall not drive upon any on-street path or lane designated by official signs or markings for the exclusive use of bicycles or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane.

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2131.11 Turning into private driveway, alley or building.**

(a) The driver of a vehicle intending to turn into a private road or driveway, alley, or building from a public street or highway shall be governed by the following rules:

- (1) Approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
- (2) Upon a roadway where traffic is proceeding in opposite directions, approach for a left turn and a left turn shall be made from that portion of the right half of the roadway nearest the center line thereof.
- (3) Upon a roadway where traffic is restricted to one (1) direction, approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.
- (4) When a vehicle and another vehicle are traveling in the same direction on any roadway, the operator of the vehicle overtaking such vehicle traveling on the right or left side of the roadway shall not turn to the right or left in front of the overtaken vehicle at that intersection or at any alley or driveway until such vehicle has overtaken and is safely clear of the overtaken vehicle.

It shall be the duty of the driver of any vehicle entering a private road or driveway, alley or building to yield the right-of-way to pedestrians lawfully using the sidewalk or sidewalk area extending across any such roadway.

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2131.216 Emergency vehicle and public safety vehicle exceptions.**

Sections 2113.01, 2113.03, 2113.04, 2113.041, ~~2113.06~~, 2131.01, 2131.02, 2131.03, 2131.04, 2131.05, 2131.06, 2131.07, 2131.08, 2131.09, 2131.10, 2131.12, 2131.13, 2131.14, 2131.15, 2131.16, 2131.17, 2131.18, 2131.21, 2131.22, 2131.225, 2131.29, 2131.30, 2131.31, 2131.33, 2131.38, 2131.39, 2133.04, 2133.05, 2151.01, 2151.03, 2151.04, 2151.06, 2151.10 and 2171.01(A) of the Columbus City Code do not apply to the driver of an emergency vehicle or public safety vehicle if the emergency vehicle or public safety vehicle is responding to an emergency call, is equipped with and displaying at least one (1) flashing, rotating or oscillating light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle and if the driver of the vehicle is giving an audible signal by siren, exhaust whistle or bell. This section does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

**2131.271 Duties upon approaching stationary public safety vehicle displaying emergency light.**

- (a) The driver of a ~~motor~~-vehicle, upon approaching a stationary public safety vehicle, an emergency vehicle, or a road service vehicle that is displaying the appropriate visual signals by means of a flashing red light, flashing combination red and white light, oscillating, or rotating red lights, as prescribed in Section 2137.16~~oscillating or rotating combination red and white light, flashing blue light, flashing combination blue and white light, oscillating or rotating blue light, or oscillating or rotating combination blue and white light~~, shall do either of the following:
- (1) If the driver of the ~~motor~~-vehicle is traveling on a street or highway that consists of at least two (2) lanes that carry traffic in the same direction of travel as that of the driver's ~~motor~~-vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle, an emergency vehicle, or a road service vehicle.
  - (2) If the driver is not traveling on a street or highway of a type described in division (a)(1) of this section, or if the driver is traveling on a street or highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the ~~motor~~-vehicle, and maintain a safe speed for the road, weather, and traffic conditions.
- (b) This section does not relieve the driver of a public safety vehicle, an emergency vehicle, or a road service vehicle from the duty to drive with due regard for the safety of all persons and property upon the street or highway.
- (c) No person shall fail to drive a ~~motor~~-vehicle in compliance with division (a)(1) or (2) of this section when so required by division (a) of this section.
- (d) (1) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (2) Notwithstanding section 2929.21 of the Ohio Revised Code, upon a finding that a person operated a motor vehicle in violation of division (c) of this section, the court, in addition to all other penalties provided by law, shall impose a fine of two times the usual amount imposed for the violation.
- (e) As used in this section, "public safety vehicle", "emergency vehicle", and "road service vehicle" ~~have has~~ the same meaning as in Chapter 2101

### **2131.30 One-way streets and rotary traffic islands.**

- (a) Upon a roadway designated and posted with signs for one-way traffic a vehicle shall be driven only in the direction designated, except a bicycle when the roadway is officially marked and signed for a contra-flow bike lane or signed with an exception for bicycles.
- (b) A vehicle passing around a rotary traffic island shall be driven only to the right of the rotary traffic island. No person shall operate a vehicle ~~operator shall drive~~ on a roadway in a direction of travel in violation of signs, markings, or barriers erected or placed at such location.
- (~~c~~b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

- (de) It is an affirmative defense to a charge under this section that the sign, marking, or barrier was not erected or placed in accordance with Chapter 2105

**2131.34 Driving over sidewalks or curbs.**

- (a) No driver of any vehicle shall drive over or across any curb, upon a sidewalk, or within any sidewalk area except upon a permanent or duly authorized temporary driveway or except a bicycle as provided by Chapter 2173.
- (b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded 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 two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2131.44 Sending, reading or writing a text message or accessing the internet while driving.**

- (a) As used in this section:
- (1) "Text message" means a message sent, stored or received via a mobile communication device. For purposes of this section, an e-mail message shall be considered a text message.
- (2) "Mobile communication device" means any portable electronic device capable of transmitting or receiving data in the form of a text message or capable of accessing the internet, including but not limited to a wireless telephone, a text-messaging device, a personal digital assistant, or a personal computer.
- (b) No person shall operate a ~~motor~~ vehicle while using a mobile communication device to
- (1) Compose, send or read a text message; or
- (2) Send, read, create, play or interact with internet- based content.
- (c) Notwithstanding the provisions of division (b), this section shall not be construed to prohibit the use of a mobile communication device inside a motor vehicle by:
- (1) a driver using a mobile communication device to report a health or safety emergency or
- (2) a driver using a mobile communication device while the motor vehicle is parked standing or stopped and is removed from the flow of traffic, in accordance with applicable laws or rules, or is stopped due to the inoperability of such vehicle, or
- (3) a driver using a mobile communication device in the course of the drivers duties while operating an emergency or public safety vehicle.
- (d) Whoever violates this section is guilty of a minor misdemeanor.

**2151.01 Parking prohibitions in specified places.**

- (1) No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with any other traffic or to comply with the directions of a police officer or a traffic control device in any of the following places
- (a) On a sidewalk, shared-use path, curb, or street lawn area between a curb and right-of-way line, except a bicycle as provided in division (2) of this section;
- (b) In front of or within five (5) feet of a public or private driveway;
- (c) Within an intersection;
- (d) Within ten (10) feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty (20) feet of a crosswalk at an intersection, or, if there is no crosswalk, within twenty (20) feet of an intersection, except for bicycles at any place designated as

- bicycle-only parking by the director of public service, or as otherwise designated by the director of public service under the authority provided in Chapter 2105;
- (g) Within thirty (30) feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device, except for bicycles at any place designated as bicycle-only parking by the director of public service, or as otherwise designated by the director of public service under the authority provided in Chapter 2105;
  - (h) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device, except for bicycles at any place designated as bicycle-only parking by the director of public service. Or as otherwise designated by the director of public service under the authority provided in Chapter 2105;
  - (i) Within fifty (50) feet of the nearest rail of a railroad crossing;
  - (j) Within twenty (20) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when it is properly posted with signs;
  - (k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
  - (l) Alongside any vehicle stopped or parked at the edge or curb of a street;
  - (m) Upon any bridge or other elevated structure upon a street or within a street tunnel unless such bridge or tunnel is properly posted with a sign to allow parking;
  - (n) Within one (1) foot of another parked vehicle, except for bicycles at any place designated as bicycle-only parking by the director of public service;
  - (o) (1) At any place designated as no parking pursuant to rules and regulations promulgated by the director of public service under the authority provided in Chapter 2105
  - (o) (2) At any place designated as no stopping pursuant to rules and regulations promulgated by the director of public service under the authority provided in Chapter 2105
  - (p) In front of all schools as defined in Section 2101.341, for a distance of seventy-five (75) feet in each direction from the main entrance to the school when properly posted with signs;
  - (q) In front of all theaters for a distance of twenty-five (25) feet in each direction from the center of the main entrance when it is properly posted with signs;
  - (r) Upon any street or alley twenty-three (23) feet or less in width when it is properly posted with signs;
  - (s) In front of any church where conditions are such that they warrant a parking prohibition and for the distance that the Traffic Engineer deems advisable when it is properly posted with signs;
  - (t) Upon any traffic control island or median that separates traffic on a street, highway, roadway or boulevard;
  - (u) In front of any auto-mail box for a distance of twenty (20) feet in each direction from the auto-mail box, when it is properly posted with signs;
  - (v) Within the right-of-way line of a controlled-access highway, freeway, expressway or thruway, except for emergency purposes;
  - (w) Upon a service road or upon the public property alongside a service road;
  - (x) Within twenty (20) feet of the junction of an alley and a street, except for bicycles at any place designated as bicycle-only parking by the director of public service under the authority provided in Chapter 2105;
  - (y) In a public right-of-way, within ten (10) feet of a bulk refuse container;
  - (z) In a handicapped designated parking space as defined in Section 2155.01(h) unless the vehicle is a handicapped designated vehicle as defined in Section 2155.01(g) or a handicapped designated vehicle from a state other than Ohio entitled to reciprocity pursuant to Section 4503.37 of the Ohio Revised Code;

- (aa) In front of, or within one (1) foot of, a wheelchair ramp;
  - (bb) Other than a motor bus, in a bus loading area, when such area has been officially designated and appropriately posted with a sign, except the driver of a passenger vehicle may stop temporarily therein for the purpose of, and while actually engaged in, loading or unloading passengers, when such stopping does not interfere with any motor bus entering or leaving such bus loading area;
  - (cc) Any place marked as a loading zone for any period of time longer than is necessary for the expeditious loading or unloading of passengers or merchandise;
  - (dd) Upon a bike lane, except to lawfully load and unload passengers or freight.
- (2) A person shall be 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 cubic centimeters, or a bicycle, provided that the motor-driven cycle, motor scooter, or 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 2173.105.
- (32) A violation of any provision of this section constitutes the commission of a parking infraction pursuant to and governed by the provisions of Chapter 2150

**2151.06 Manner of parallel or angle parking.**

- (a) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the curb side wheels of such vehicle parallel with and not more than twelve (12) inches from the curb, unless it is impossible to approach so close to the curb; in such case the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.
- (b) Except as provided in divisions (f) and (g) of this section, no ~~no~~ vehicle shall be stopped or parked on a road or street with the vehicle facing in a direction other than the direction of travel on that side of the road or street.
- (c) Notwithstanding any provision of this Traffic Code, air compressors, tractors, trucks and other equipment, while being used in the construction, reconstruction, installation, repair or removal of facilities near, on, over or under a street, may stop, stand or park where necessary in order to perform such work, provided a flagman is on duty, or warning signs or lights are displayed as may be prescribed by the director of public service or the director's designee.
- (d) Notwithstanding the preceding provisions of this section, lawful angle parking shall be permitted in officially designated angle parking areas by signs or markings.
- (e) Upon streets where angle parking is permitted, no person shall stop, stand or park a vehicle other than entirely within the limits of the space, with the wheel nearest the curb or edge of paved surface at no more than twelve inches from such curb or edge of paved surface, and at the angle to the curb or edge of the roadway as is indicated by appropriate markings on the pavement and signs. Except as provided in division (f) of this section, no person shall back a vehicle into an angled parking space unless the space has been designated as "Back-In Angle Parking" by signs. No person shall pull forward into a space that has been designated as "Back-In Angle Parking" by signs.
- (f) The operator of a motorcycle may back the motorcycle into an angled parking space so that when the motorcycle is parked it is facing in a direction other than the direction of travel on the side of the street or highway.
- (g) The operator of a motorcycle may back the motorcycle into a parking space that is located on the side of, and parallel to, a street or highway. The motorcycle may face any direction when so parked.
- (h) Not more than two motorcycles at a time shall be parked in a parking space as described in division (g) of this section irrespective of whether or not the space is metered.
- (if) A violation of any provision of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

### 2155.01 Definitions.

The following definitions shall apply to terms used in this chapter:

- (a) "Individual street parking space" means a portion of the paved surface of the street ~~approximately twenty three (23) feet in length~~ extending from the ~~sidewalk curb or edge of paved surface~~ into the street a sufficient distance to accommodate a vehicle when the same is parked as prescribed by Section 2151.06 ~~parallel to the curb with the right wheels thereof not more than four (4) inches from such curb or on a one-way street where parking is permitted on the left side of the street, when a vehicle shall be parked parallel to the curb with the left wheels thereof not more than four (4) inches from such curb.~~
- (b) "Parking" means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in compliance with directions of a police officer or traffic control device.
- (c) "Parking meters" means a device which indicates thereon the length of time during which a vehicle may be parked in a particular place, which has as a part thereof a receptacle or chamber for receiving and storing required coin, coins, currency, credit card, or electronic fund transfer card equivalence of United States money, a slot or place in which such coin, coins, currency, credit card, or electronic fund transfer card equivalence can be deposited, a time mechanism to indicate the passage of an interval of time during which parking is permissible, and which also displays an appropriate signal when the aforesaid interval of time has elapsed or a receipt which displays the time the parking will expire.
- (d) "Vehicle" means any device in, upon, or by which any person or property is or may be transported upon a public street, except such devices as are used exclusively upon stationary rails or tracks and such devices as are propelled exclusively by human power.
- (e) "Off-street parking lot" means any lot, piece, or parcel of land owned by the city and designated by council for the purpose of metered, time-regulated storing or parking of vehicles.
- (f) "Individual off-street parking space" means a portion of the paved surface of the off-street parking lot approximately twenty (20) feet in length and nine (9) feet in width.
- (g) "Handicapped designated vehicle" means a motor vehicle that displays either (1) a parking card issued under Section 4503.44 of the Ohio Revised Code or (2) a special license plate issued under Section 4503.44 of the Ohio Revised Code and is being operated by or for the transport of a handicapped person. For purposes of this section "handicapped person" means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind or deaf, or so severely handicapped as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield. (ORC 4503.44)
- (h) "Handicapped designated parking space" means parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted as such in accordance with the requirements of the Ohio Revised Code Section 4511.69 (E), Ohio Revised Code Section 3781.111 (C), the Ohio Manual of Uniform Traffic Control Devices and the City of Columbus Transportation Sign Installation Manual.
- (i) "Meter day" means any day that parking meters are enforced.

**2173.10 Riding bicycles on sidewalks.**

- (a) No person shall operate a bicycle upon a sidewalk, except for children's non-motorized vehicles as defined in section 2173.015 (A)(2), and at locations that the Columbus city council designates as bikeways or shared-use paths.
- (b) This section shall not apply to:
  - (1) A police officer, division of Fire personnel, or Parking Violation Bureau personnel when such personnel are riding a bicycle in the performance of official duties.
  - (2) Security guards employed by a special improvement district organized under Chapter 1710 of the Ohio Revised Code and certified through the International Police Mountain Biking Association, the Law Enforcement Bicycle Association, or an equivalent bicycle training as determined by the Director of Public Safety, when such personnel are riding a bicycle in the performance of official duties.
- (bc) Whoever violates this section is guilty of a minor misdemeanor.

**2173.11 Impounding for violations.**

Whenever any bicycle shall be operated by any person, including minors under the age of twenty-one (21) years, in violation of any of the provisions of this chapter, ~~or the provisions of Chapter 571 of the Business Regulation and Licensing Code~~, such bicycle may be seized by any member of the police department and impounded for not more than thirty (30) days in a pound which shall be established by the chief of police for such purpose. Such bicycle, so impounded, shall be surrendered upon order of the police chief to the parent or guardian of any minor without charge after full explanation to such parent or guardian of the reason for such impounding, and after the expiration of the impounding period. A complete record of each such impounding shall be kept in the office of the chief of police.

**3303.02 Letter B.**

"Banner" means a non-rigid cloth, canvas, or plastic graphic, other than a flag.

"Corporate banner" means the emblem or standard of a for-profit or not-for-profit corporation, or other similar entity.

"Ornamental banner" means a banner that utilizes any of a variety of images or colors of an ornamental nature, and that displays no on-premises or off-premises copy.

"Promotional banner" means a banner that displays on-premises or off-premises copy. (See also "String of banners.")

"Bar" means an establishment used primarily for the dispensing, or sale of alcoholic beverages by the drink for on-site consumption.

"Bikeway" means a facility that explicitly provides for bicycle travel. A bikeway may vary from a completely separated facility to simple signed streets as follows:

- (a) "Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users~~is a facility for the exclusive use of bicycles, pedestrians and children's non-motorized vehicles separated from motor vehicle traffic except at bike crossings.~~
- (b) "Bike lane" (Class II Bikeway) is a marked lane contiguous to a travel lane within a roadway for the exclusive or semi-exclusive operation of bicycles in the same direction as the adjacent travel



lane. The bike lane is physically separated from motor vehicle traffic by painted lines, pavement coloration, curbing, parked vehicles or other barriers.

- (c) "Bike route" (Class III Bikeway) utilizes existing streets and roads. No separation of motor vehicle and bicycle traffic is provided as only signs are present to indicate the course of the bike route.

"Billboard" means an off-premises sign which consists of one or more sign faces primarily intended by the sign owner to be available for sale, lease or rental for the purpose of promoting any business or other activity which is not situated on the same property as the billboard or of promoting any product or service which is not primarily available on the same property as the billboard; and incidentally used for the display of public service messages.

"Boarding house" means a residential building, other than a hotel, in which meals are served together with lodgings for hire to three or more persons.

"Breezeway" means a roofed, weather-protected, non-habitable space connecting a dwelling and a detached garage.

"Building" means any structure having a roof supported by columns or walls, or any series of structures separated only by "fire separations" but contained under a common roof or within common walls, and requiring a building permit in accordance with Title 41 of the Building Code that is used for shelter, occupancy, enclosure, or support of persons, animals, or property.

"Building line" means a clearance line limiting the approach to a lot line of a building exclusive of open porches, steps, terraces, walkways or separate accessory building, or as otherwise provided in this Zoning Code.

#### **4101.02 Letter B.**

"Balcony, exterior" means a parapet or railing-enclosed platform projecting outward from the exterior wall of a building.

"Balcony, interior," as applied to a place of assembly, means an open seating level located above the main assembly floor level but does not include a continuation of a rise of the main floor or other integrated seating area in connection therewith.

"Bikeway" means a facility that explicitly provides for bicycle travel. A bikeway may vary from a completely separated facility to simple signed streets as follows:

- (a) "Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users~~is a facility for the exclusive use of bicycles, pedestrians and children's non-motorized vehicles separated from motor vehicle traffic except at bike crossings.~~
- (b) "Bike lane" (Class II Bikeway) is a marked lane contiguous to a travel lane within a roadway for the exclusive or semi-exclusive operation of bicycles in the same direction as the adjacent travel lane. The bike lane is physically separated from motor vehicle traffic by painted lines, pavement coloration, curbing, parked vehicles or other barriers.

- (c) "Bike route" (Class III Bikeway) utilizes existing streets and roads. No separation of motor vehicle and bicycle traffic is provided as only signs are present to indicate the course of the bike route.

"Building" means any structure used for shelter, occupancy, enclosure, or support of persons, animals, or property or intended for supporting or sheltering any use or occupancy, having a roof supported by columns or walls and requiring a building permit. For application of this Code, each portion of a building completely separated from other portions by fire walls complying with the Ohio Building Code (OBC) shall be considered as a separate building. Whenever possible herein, the term "building" shall include the term "structure."

- (a) "Building addition" or "addition" means a part added to a building, either by being built so as to form one (1) architectural whole with it, or by being joined with it in some way, as by a passage, and so that one (1) is a necessary adjunct or appurtenance of the other or so that both constitute the same building.
- (b) "Building Code" means Title 41 of the Columbus City Codes.
- (c) "Building line" means the clearance line limiting the approach of a building, exclusive of open porches, steps, terraces or walkways, to a property line, or to other buildings on the same lot.
- (d) "Existing building" means a building already erected or one for which a legal permit has been issued prior to the adoption of the Building Code.
- (e) "Building official" means the officer so designated by the director. The building official may also be referenced as the "chief building official" in this code. The building official and his regularly authorized representatives are charged with the administration and enforcement of the building code. The authorized representatives may include city employees or registered contract inspectors. The building official is also the designated authority charged with the administration and enforcement in the city of Columbus of the Ohio Building Code (OBC) approved by the Ohio Board of Building Standards (OBBS) in accordance with Chapter 1, "Administration", of the Ohio Building Code.

#### **4101.19 Letter S.**

"Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users~~is a facility for the exclusive use of bicycles, pedestrians and children's non-motorized vehicles separated from motor vehicle traffic except at bike crossings.~~

"Shed" means a roofed one story structure, open on one or more sides, and not a porch or marquee as defined in this chapter.

"Sidewalk space" means the part of a public street provided or set apart as a walkway for pedestrians, including the planting strip when the same exists, as distinguished from the roadway of said street.

"Skeleton construction" means that construction whereby all external and internal loads and stresses are transmitted to the foundation by a skeleton or framework of metal, or concrete reinforced by metal.

"Spire" means a tapering structure with vertical dimensions much greater than the dimension of the base.

"Structure" means an assembly of materials forming a construction for occupancy or use, including but not limited to: building; stadium; gospel or circus tent; reviewing stand; platform; staging; observation tower; communication, radio or television tower; water tank; trestle; pier; wharf; open shed; coal bin; shelter; fence in excess of six feet in height; display sign; dish antenna and any other similar assembly of materials. The word "structure" is construed as if followed by "or parts thereof."

Section 3. That prior existing sections 2101.04, 2101.041, 2101.17, 2101.185, 2104.45, 2101.46, 2101.47, 2101.51, 2105.03, 2105.04, 2105.06, 2105.095, 2105.12, 2105.13, 2105.17, 2105.18, 2105.19, 2105.25, 2113.03, 2113.04, 2113.041, 2113.05, 2131.03, 2131.08, 2131.11, 2131.216, 2131.271, 2131.30, 2131.34, 2131.44, 2151.01, 2151.06, 2155.01, 2173.10, 2173.11, 3303.02, 4101.02, and 4101.19 of the Columbus City Codes, 1959, are hereby repealed.

Section 4. That existing section 2113.06 of the Columbus City Codes, 1959, is hereby repealed in its entirety.