



Legislation Text

File #: O-271-20, **Version:** 1

Safe Streets, Strong Neighborhoods
Council Member Melden

Establishing the “Safe Streets, Strong Neighborhoods” initiative and Amending Section 303.99(a) (1) of the Toledo Municipal Code, “Traffic Code misdemeanor classifications and penalties; fines” to double the fines for speeding in residential areas; and declaring an emergency.

SUMMARY & BACKGROUND:

In 2019, Toledo was designated the 64th most dangerous metro area for pedestrians in the United States with pedestrian safety on a downward trend since 2016 according to a 2019 safety study conducted by Smart Growth America and the National Complete Streets Coalition. A significant number of complaints of speeding in residential neighborhoods in the City of Toledo has given rise to a study of how to improve the safety of not just Toledo streets, but Toledo neighborhoods as a whole.

In consultation with community leaders, after gaining insight from best practices throughout the country, and after conversation with leadership in the Administration, Council Member Sam Melden has assembled a 6 point “Safe Streets, Strong Neighborhoods” Plan. Three steps to take in the short term, three areas of focus in the long term.

An immediate short-term step is to increase the fines for speeding on residential streets. Toledo will never be the city it can be if our residents are afraid of walking their dog, teaching their kid to ride a bike, or even going for a walk with their grandparent. When motorists use our residential streets as their shortcut around traffic, or even their personal racetrack, they are ruining our neighborhoods. Doubling fines for speeding in other situations has long been used as an effective means to reduce speed in other sensitive situations such as construction zones. A 2002 study of motorist behavior in construction zones conducted by the Oregon Department of Transportation concluded that 51.3% of drivers said their driving was influenced “a lot” and 19.8% said their driving was influenced at least “some” by the knowledge of double fines. Motorists need to apply the same level of care to our neighborhoods that they would when they see orange cones on the highway.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 303.99(a)(1), “Traffic Code misdemeanor classification and penalties; fines,” which reads as follows, is hereby repealed:

303.99. Traffic Code misdemeanor classifications and penalties; fines.

(a) Misdemeanor Classifications.

(1) General classification. Whoever violates any provision of this Traffic Code, for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense, within

one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, such person is guilty of a misdemeanor of the third degree. When any person is found guilty of a first offense for a violation of Section 333.03 upon a finding that he operated a motor vehicle faster than thirty-five miles an hour in a business district, or faster than fifty miles an hour in other portions, or faster than twenty miles an hour while passing through a school zone during recess or while children are going to or leaving school during the opening or closing hours, such person is guilty of a misdemeanor of the third degree.

SECTION 2. That a new Toledo Municipal Code Section 303.99(a)(1), “Traffic Code misdemeanor classification and penalties; fines,” which reads as follows, is hereby enacted:

303.99. Traffic Code misdemeanor classifications and penalties; fines.

(a) Misdemeanor Classifications.

(1) General classification. Whoever violates any provision of this Traffic Code, for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense, within one year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, such person is guilty of a misdemeanor of the third degree. When any person is found guilty of a first offense for a violation of Section 333.03 upon a finding that he operated a motor vehicle faster than thirty-five miles an hour in a business district, or faster than fifty miles an hour in other portions, or faster than twenty miles an hour while passing through a school zone during recess or while children are going to or leaving school during the opening or closing hours, such person is guilty of a misdemeanor of the third degree. Anyone guilty of a violation involving exceeding the speed limit in violation of Section 333.03(b)(3) shall be fined at a rate not less than double the standard scheduled fine for such violation.

SECTION 3. All revenue generated as a result of the additional fines imposed by this ordinance shall be deposited to 1001-10900-406825-3376001STDSTD for future appropriation by Council. The expenditure of these funds shall be limited to speed reducing infrastructure and neighborhood park improvements.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety, and property and for the further reason that it is necessary to improve the safety of streets and neighborhoods within the City of Toledo.

Vote on emergency clause: yeas 8, nays 0.

Passed: August 11, 2020, as an emergency measure: yeas 8, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

August 13, 2020
Wade Kapszukiewicz
Mayor