



ORDINANCE: 07 – 26

PASSED: February 2, 2026

AN ORDINANCE TO AMEND SECTION 311.01 OF THE CODIFIED ORDINANCES OF THE CITY OF OBETZ TO CLARIFY AND EXPAND THE MATERIALS OR OBSTRUCTIONS PROHIBITED FROM PLACEMENT ON PUBLIC STREETS AND RIGHTS OF WAY AND DECLARING AN EMERGENCY

WHEREAS, the City of Obetz has adopted regulations prohibiting the placement of injurious materials or obstructions within public streets and rights of way; and,

WHEREAS, materials or obstructions placed within public streets and rights-of-way can create hazardous conditions, obstruct traffic, interfere with drainage, and damage public infrastructure; and,

WHEREAS, the City has experienced issues involving debris, waste, vehicles, snow, ice, and other materials being deposited into public streets and rights-of-way; and,

WHEREAS, City Council finds it necessary to clarify and expand Section 311.01 to improve public safety, provide clear notice, and ensure consistent enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBETZ, OHIO THAT:

Section 1. Section 311.01 of the Codified Ordinances of the City of Obetz is hereby amended to read as follows:

311.01 PLACING INJURIOUS MATERIAL OR OBSTRUCTION IN STREET.

(a) Prohibited Deposits. No person shall place, deposit, dump, drop, throw, blow, push, shovel, plow, sweep, or otherwise move – or – or knowingly permit to be placed or deposited drop upon any part of a street, highway or alley, curb lane, sidewalk, shared use path, or within the public right of way, any injurious material or obstruction that may damage, endanger, or interfere with any person, vehicle, or animal traveling thereon, or that may obstruct drainage, including but not limited to: any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person, vehicle or animal traveling along or upon such street, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof.

- (1) Tacks, bottles, wire, glass, nails, metal, or sharp objects;
- (2) Snow, ice, slush, or plowed/shoveled/blown accumulations;
- (3) Gravel, stone, rocks, asphalt, concrete, or other aggregate;
- (4) Mud, dirt, sand, or similar earthen material;
- (5) Grass clippings, leaves, brush, limbs, yard waste, or similar vegetative debris;

and,

- (6) Construction or demolition debris, refuse, waste, or other noxious, destructive, or injurious material.

(b) Immediate Removal and Restoration. Any person who violates subsection (a), or who drops, spills, or permits to be dropped, spilled, or deposited any noxious, destructive, injurious material or obstruction, shall immediately remove the same and restore the area to a safe condition.

~~Any person who drops or permits to be dropped or thrown upon any street any noxious, destructive or injurious material shall immediately remove the same.~~

(c) Wreck Removal. Any person authorized to remove a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

(d) Unauthorized Obstructions. No person shall place or maintain any obstruction in or upon a street or within the public right of way without proper authority.

(e) Intent to Cause Harm. No person, with intent to cause physical harm to a person or vehicle, shall place or knowingly drop upon any part of a highway, lane, road, street or alley any injurious material or obstruction including tacks, bottles, wire, glass, nails, metal, rocks, or other articles ~~which may damage or injure any person, vehicle or animal traveling along or upon such highway~~, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof.

(f) Exceptions. This section does not prohibit:

(1) Materials placed by, or at the direction of, the City or other proper authority for construction, repair, maintenance, or snow and ice control; or,

(2) Permitted/authorized work within the right of way performed in compliance with applicable permits and traffic control requirements; or,

(3) Reasonable application of salt or deicing material for safety, provided it does not create an accumulation that constitutes an obstruction or hazard.

(g) Penalty.

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

(2) Whoever violates subsection (e) of this section is guilty of a misdemeanor of the first degree. (ORC 4511.74)

Section 2. This Ordinance is declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare due to ongoing hazardous conditions caused by injurious materials and obstructions within public streets and rights-of-way, requiring immediate effectiveness to ensure clear notice, consistent enforcement, and the safe movement of traffic, emergency services, and the general public; WHEREFORE, this Ordinance shall take effect and be in force immediately upon its passage.

Passed this 2 day of February, 2026

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

Angela M. Kirk
Angela M. Kirk, Mayor

ORDINANCE: 07 - 26

PASSED: February 2, 2026

[Signature]
Derek Varney, Council Pres. Pro-Tem

APPROVED AS TO FORM

[Signature]
Eugene L. Hollins, Esq, Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance 07-26 was duly posted at 5:00 PM(time) on the 9 day of February, 2026, at the Obetz Government Center, Obetz Community Center, and Obetz Athletic Club as well as on the Obetz website.



[Signature]
Stacey Boumis, Clerk

2/9/26
Date