

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 08-72

INTRODUCED BY: Kasaris, Petrusky, Nickell

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 642 OFFENSES RELATING TO PROPERTY, BY CREATING A NEW SECTION 642.126 ENTITLED TRESPASS UPON SCHOOL GROUNDS OR FACILITIES, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to ensure that North Royalton's local ordinances match those of the State of Ohio regarding trespassing upon school grounds or facilities so that we have local enforcement authority; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 6 General Offenses Code, Chapter 642 Offenses Relating to Property, by creating a new Section 642.126 entitled Trespass Upon School Grounds or Facilities; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 6 General Offenses Code, Chapter 642 Offenses Relating to Property of the Codified Ordinances of the City of North Royalton is hereby amended by creating a new Section 642.126 entitled Trespass Upon School Grounds or Facilities, which shall hereinafter read as follows:

642.126 TRESPASS UPON SCHOOL GROUNDS OR FACILITIES

- (a) No person shall visit or loiter in any public or private school building or on any public or private school property during hours when school is in session, without the permission of the principal, custodian or other person in charge of such public or private school.*
- (b) The provisions of division (a) above shall not include students specifically designated by assignment in such school (except those currently under suspension or expulsion), or to persons legitimately attending a school sponsored event; unless ordered to leave by the principal or custodian or other person in charge or any law enforcement officer; nor shall it include parents or legal guardians of students or other persons having legitimate business, provided that such person(s) registered at the office of the school and were granted permission prior to said visit.*
- (c) As used herein, the term "loiter" or "visit" shall mean to stand, stay or be present within the territory set forth in division (a) above without any direct purpose or to remain in such location aimlessly or idly, or to be in such area for some prohibited or otherwise illegal purpose.*
- (d) As used in this section, the term "school" means the grounds or any facility of any preschool, kindergarten, elementary school, middle school, junior high school, or high school, whether public or nonpublic as further defined by ORC 2925.01 (Q), (R), (S).*
- (e) Any person(s) who violates this Ordinance is guilty of a misdemeanor of the fourth degree. Any person(s) who enters or remains on school property after the principal, or his or her designee, or any law enforcement officer, has directed such person to leave said school premises, is guilty of a misdemeanor of the first degree.*

Section 2. Chapter 642 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provision of Chapter 642 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that Council has determined that it is immediately necessary to ensure that North Royalton's local ordinances match those of the State of Ohio regarding trespassing upon school grounds or facilities so that we have local enforcement authority.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: April 1, 2008

DATE APPROVED: April 1, 2008

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading April 1, 2008

YEAS: Gentile, Nickell, Petrusky, Willey,
McKee, Antoskiewicz, Kasaris

NAYS: none