

**CITY OF ENGLEWOOD  
IN  
MONTGOMERY COUNTY, OHIO**

**ORDINANCE: 24-14**

**Passed: OCTOBER 22, 2024**

**AN ORDINANCE: AMENDING CHAPTER 416 (PEDESTRIANS) OF THE  
ENGLEWOOD CODIFIED ORDINANCES TO INCLUDE THE  
ADDITION OF SECTION 416.16 (DISTRIBUTION IN A RIGHT-  
OF-WAY)**

**WHEREAS**, the City has noticed a trend of panhandling in high traffic areas, particularly in rights-of-way, that poses a danger to the public and the parties in close proximity; and

**WHEREAS**, the City wishes to set forth a law that restricts panhandling in the rights-of-way that pose an increased danger to the public at large and the panhandler; and

**WHEREAS**, the City recommends adding what would be known as Codified Ordinance Section 416.16; and

**WHEREAS**, Section 416.16, if approved, would read as follows:

**Section 416.16 Distribution in a right-of-way.**

- (A) No person shall engage in distribution with the driver or occupant of a vehicle in a right-of-way unless such vehicle is lawfully stopped, standing, or parked in compliance with chapter 4511 of the Revised Code and title VII of the Revised Code.**
- (B) No person who is within a right-of-way shall engage in distribution with the driver or occupant of a vehicle stopped in a right-of-way in obedience to a traffic control signal. However, a person may engage in distribution with the occupant of a vehicle in a right-of-way so long as the person remains on the surrounding sidewalks and not in or on the right-of-way itself, including any medians or traffic islands within the right-of-way.**
- (C) No person, being the driver or occupant of a vehicle in a right of way, shall engage in distribution with another who is not an occupant of the vehicle unless such vehicle is lawfully stopped, standing, or parked in compliance with chapter 4511 of the Revised Code and title VII of the Revised Code.**
- (D) No person, being the driver or occupant of a vehicle stopped in a right of way in obedience to a traffic control signal, shall engage in distribution with another who is not an occupant of the vehicle. However, a driver or occupant of a vehicle in a right-of-way may engage in distribution with another who is not an occupant of the vehicle so long as the person remains on the surrounding sidewalks and not in the right-of-way itself, including any medians or traffic islands within the right-of-way.**
- (E) A person who is a first-time offender that violates subsection (A), (B), (C), or (D) shall be given a warning so long as the person provides sufficient identifying information when requested such that person can be properly identified, which includes, legal name, address, and date of birth.**

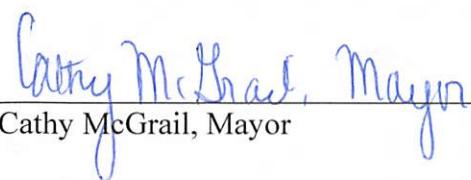
- (F) Whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to a violation of this section, whoever violates this section is guilty of a misdemeanor of the fourth degree.
- (G) For the purpose of this section, the term "distribution" means "an exchange or an attempt to exchange a physical item between two or more individuals."
- (H) All other words and phrases used in this section shall have the same meanings as defined in section 4511.01 of the Ohio Revised Code.
- (I) A violation of subsection (A), (B), (C), or (D) is a strict liability offense.; and

**WHEREAS**, the City is recommending approval of Section 416.16 to be added to the City of Englewood's Codified Ordinances.

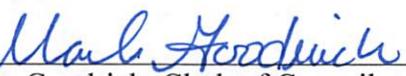
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:**

- SECTION I** That Chapter 416 (Pedestrians) of the Englewood Codified Ordinances be amended with the addition of Section 416.16 as provided above.
- SECTION II** All provisions of Chapter 416 not specifically amended herein shall remain the same.
- SECTION III** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public, in compliance with legal requirements.
- SECTION IV** That this Ordinance shall be in full force and effect at the earliest date allowed by law.

**Passed on this 22nd day of October 2024**

  
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Cathy McGrail, Mayor

**ATTEST:**

  
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Marla Goodrich, Clerk of Council

## C E R T I F I C A T E

I, **Marla Goodrich, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify the foregoing is a true and correct copy from the **Record of Proceedings** of said City. **WITNESS** my signature this 22nd day of October, 2024.

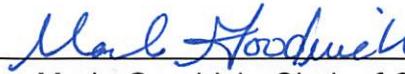


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Marla Goodrich, Clerk of Council

## CERTIFICATE OF POSTING

I, **Marla Goodrich, Clerk of Council of the City of Englewood, Montgomery County, Ohio**, do hereby certify publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.



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Marla Goodrich, Clerk of Council