

**NOTICE OF ADOPTION**

I, Teri Davis, do hereby certify:

1. That I am the Clerk of Council of the Council of the City of Centerville, Ohio;  
and
2. That on the 16th day of March, 2020,  
Ordinance No. 07-20 was adopted by the Centerville City Council; and
3. That a certified copy of Ordinance No. 07-20 was published in the  
posting locations prescribed by City of Centerville Council Rules.

  
\_\_\_\_\_  
Clerk of Council

ORDINANCE NO. 07-20

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON THE 16<sup>th</sup> DAY OF March, 2020.

AN ORDINANCE AMENDING THE CENTERVILLE MUNICIPAL CODE SECTION 436.09, DISPLAY OF LICENSE PLATES; REGISTRATION; OBSTRUCTIONS TO RESTORE RESTRICTIONS ON PARKING OR OPERATING A VEHICLE WITHOUT THE DISPLAY OF VALID LICENSE PLATES.

WHEREAS, Chapter 436 of the City's Municipal Code regulates traffic laws within the City of Centerville; and

WHEREAS, Section 436.09 regulates the display, registration and obstruction of vehicle license plates; and

WHEREAS, it is in the best interest of the City to regulate the display, registration and obstruction of vehicle license plates.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendments to Section 436.09 of the Centerville Municipal Code is hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

**436.09 DISPLAY OF LICENSE PLATES; REGISTRATION; OBSTRUCTIONS.**

- (a) (1) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the front and rear of the motor vehicle a license plate that bears the distinctive number and registration mark assigned to the motor vehicle by the Ohio Director of Public Safety, including any county identification sticker and any validation sticker issued under R.C. §§ 4503.19 and 4503.191, except as follows:
- A. A manufacturer of motor vehicles or dealer therein, the holder of an in transit permit, and the owner or operator of a motorcycle, motorized bicycle or moped, motor-driven cycle or motor scooter, autocycle, cab- enclosed motorcycle, manufactured

home, mobile home, trailer, or semitrailer shall display a license plate on the rear only.

B. A motor vehicle that is issued two license plates shall display the validation sticker only on the rear license plate, except that a commercial tractor that does not receive an apportioned license plate under the international registration plan shall display the validation sticker on the front of the commercial tractor.

C. An apportioned vehicle receiving an apportioned license plate under the international registration plan shall display the license plate only on the front of a commercial tractor and on the rear of all other vehicles.

(2) All license plates shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs their visibility.

(3) No person to whom a temporary license placard or windshield sticker has been issued for the use of a motor vehicle under R.C. § 4503.182, and no operator of that motor vehicle, shall fail to display the temporary license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display the windshield sticker in plain view on the rear window of the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility.

(4) A law enforcement officer shall only issue a ticket, citation, or summons, or cause the arrest or commence a prosecution, for the failure to display a license plate in plain view on the front of a parked motor vehicle if the officer first determines that another offense has occurred and either places the operator or vehicle owner under arrest or issues a ticket, citation, or summons to the operator or vehicle owner for the other offense.

(R.C. § 4503.21(A), (B))

(b) Except as otherwise provided by Ohio R.C. 4503.103, 4503.173, 4503.41, 4503.43, and 4503.46, no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor.

(ORC 4503.11(A))

(c) (1) Within 30 days of becoming a resident of this state, any person who owns a motor vehicle operated or driven upon the public roads or highways shall register the vehicle in this state. If such a person fails to register a vehicle owned by the person, the person shall not

operate any motor vehicle in this state under a license issued by another state.

(2) For purposes of division (c)(1) of this section, "resident" means any person to whom any of the following applies:

A. The person maintains their principal residence in this state and does not reside in this state as a result of the person's active service in the United States armed forces.

B. The person is determined by the Registrar of Motor Vehicles to be a resident in accordance with standards adopted by the Registrar under Ohio R.C. 4507.01.

(ORC 4503.111(A), (C))

(d) Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle expires, and the original owner immediately shall remove the license plates from the motor vehicle, except as otherwise provided in R.C. § 4503.12.

(R.C. § 4503.12(A))

(e) No person shall operate or drive upon the highways of this Municipality a motor vehicle acquired from a former owner who has registered the motor vehicle, while the motor vehicle displays the distinctive number or identification mark assigned to it upon its original registration.

(ORC 4549.11(A))

(f) No person who is the owner of a motor vehicle and a resident of this State shall operate or drive the motor vehicle upon the highways of this Municipality while it displays a distinctive number or identification mark issued by or under the authority of another state, without complying with the laws of this State relating to the registration and identification of motor vehicles.

(ORC 4549.12(A))

*(g) No person shall park or operate any vehicle upon any public street or highway upon which are displayed any license plates for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.*

*(h) No person shall park or operate any vehicle upon any public street or highway upon which are displayed any license plates not legally registered and issued for such vehicle, or upon which are displayed any license plates that were issued on an application for registration that contains any false statement by the applicant.*



(i) *No person shall operate a motor vehicle, upon which license plates are required by law to be displayed, unless the license plates legally registered and issued for such vehicle are fastened in such a manner, and not covered, obscured or concealed by any part or accessory of such vehicle, to be readable in their entirety from left to right.*

(~~gj~~)(1) A. Except as otherwise provided in division (~~gj~~)(1)B., whoever violates division (a) of this section is guilty of a minor misdemeanor.

B. Whoever violates division (a) of this section by failing to display a license plate in plain view on the front of a motor vehicle as required under division (a) of this section while the motor vehicle is otherwise legally parked is guilty of a minor misdemeanor and may be fined not more than \$100. A person who is subject to the penalty prescribed in this division (~~gj~~)(1)B. is not subject to the charging of points under R.C. § 4510.036.

C. The offense established under division (a) of this section is a strict liability offense and R.C. § 2901.20 does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.  
(R.C. § 4503.21(C))

(2) Whoever violates division (b) of this section is guilty of a minor misdemeanor.  
(ORC 4503.11(D))

(3) A. Whoever violates division (c) of this section is guilty of a minor misdemeanor.

B. The offense established under division (~~gj~~)(3)A. of this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.  
(ORC 4503.111(B))

(4) Whoever violates division (d) of this section is guilty of a misdemeanor of the fourth degree.  
(R.C. § 4503.12(D))

(5) Whoever violates division (e) of this section is guilty of operation of a motor vehicle bearing license plates or an identification mark issued to another, a minor misdemeanor on a

first offense and a misdemeanor of the fourth degree on each subsequent offense.  
(ORC 4549.11(B))

(6) Whoever violates division (f) of this section is guilty of illegal operation by a resident of this State of a motor vehicle bearing the distinctive number or identification mark issued by a foreign jurisdiction, a minor misdemeanor.  
(ORC 4549.12(B))

Section 2. This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 16<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Mayor of the City of  
Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 07-20, passed by the Council of the City of Centerville, Ohio on the 16<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney