

ORDINANCE NO. 24-2011

To Authorize a Law Enforcement Officer to Make an Arrest or Issue a Citation Based on Radar, Timing Device or Radio Message from Another Law Enforcement Officer.

WHEREAS, Ohio Revised Code permits law enforcement officers to arrest or issue citations for certain violations of Ohio's traffic code based on radar, timing devices or radio message from another law enforcement officer; and,

WHEREAS, in order to promote the safety of the public, the City's law enforcement officers must be able to enforce the City's traffic ordinances in the same manner consistent with the Ohio Revised Code;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Section 305.06 "ARREST OR CITATION BASED ON RADAR, TIMING DEVICE OR RADIO MESSAGE FROM ANOTHER OFFICER" be and the same hereby is enacted to read as follows:

305.06 "Arrest or Citation Based on Radar, Timing Device or Radio Message From Another Officer:"

(a) The driver of any motor vehicle that has been checked by radar, or by any electrical or mechanical timing device to determine the speed of the motor vehicle over a measured distance of a highway or a measured distance of a private road or driveway, and found to be in violation of any of the provisions of section 333.03 of the Worthington Codified Ordinances, may be arrested until a warrant can be obtained or may be issued a citation, provided the arresting or citing officer has observed the recording of the speed of the motor vehicle by the radio microwaves, electrical or mechanical timing device, or has received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves, electrical or mechanical timing device; provided, if an arrest or citation is based on such a message, the radio message has been dispatched immediately after the speed of the motor vehicle was recorded and the law enforcement officer is furnished a description of the motor vehicle for proper identification and the recorded speed.

(b) If the driver of a motor vehicle being driven on a public street or highway of the City is observed violating any provision of Chapters 331 and 333 other than section 333.03 of the Worthington City Ordinances by a law enforcement officer situated at any location, including in any type of airborne aircraft or airship, that law enforcement officer may send a radio message to another law enforcement officer, and the other law enforcement officer may arrest the driver of the motor vehicle until a warrant can be obtained or may issue the driver a citation for the violation; provided, if an arrest or

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citation is based on such a message, the radio message is dispatched immediately after the violation is observed and the law enforcement officer who observes the violation furnishes to the law enforcement officer who makes the arrest or issues the citation a description of the alleged violation and the motor vehicle for proper identification.

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the Office of the clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the city of Worthington, Ohio.

Passed July 18, 2011

[Signature on File] _____
President of City Council

Attest:

[Signature on File] _____
Clerk of Council

Introduced July 5, 2011
P.H. July 18, 2011
Effective August 10, 2011