

Summary - October 20th, 2026

Committee Meetings

Economic Development @ 6:45pm

Streets @ 6:30pm

<u>Bill</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
COUNCIL BEGINS				
CAUCUS BEGINS				
26-179	Vote	Resolution authorizing the Public Works Director to enter into a contract with Ricart Ford, 4255 S Hamilton Rd, Groveport, OH 43125, to purchase one (1) Ford F550 Plow truck for the Streets and Sewer Repair Department.	Miranda	
26-180	Vote	RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, OHIO TO PARTICIPATE IN THE PROPOSED CLASS ACTION SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MULTI-DISTRICT LITIGATION MATTER, IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCT LIABILITY LITIGATION, MDL 2:18-MN-2873-RMG, RELATING TO PFAS CONTAMINATION OF DRINKING WATER; AUTHORIZING THE SAFETY SERVICE DIRECTOR TO COMPLETE ALL DOCUMENTATION AND EXECUTE ALL RELEASES AND AGREEMENTS NECESSARY TO PARTICIPATE IN THE SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MDL; AND AUTHORIZING OUTSIDE COUNSEL TO CONTINUE TO PURSUE CLAIMS RELATED TO PFAS; PROVIDING AN EFFECTIVE DATE.	All Members of Council	
26-181	Vote	Ordinance to resolve current inconsistencies regarding the Sewer Assistance Program and current claims practices under the Sewer Assistance Program where damage is caused by City sewer back-ups or by City water main breaks, and replacing and repealing Ordinance Number 22-051 to align the Sewer Assistance Program to current procedure, and declaring an emergency.	Miranda	

26-182	Caucus Only	Ordinance enacting Chapter 521, Section 521.17 of the Mansfield Municipal Code to prohibit camping within the central business district, establish enforcement procedures and exceptions, and provide penalties	Mount	
26-183	Caucus Only	Ordinance amending Chapter 371, Section 371.12, and Chapter 373, Sections 373.01, 371.02, 373.11, and 373.25 of the Mansfield Codified Ordinances concerning code application to Electric Personal Assistive Mobility Devices, Bicycles and the use of Bicycles on City Streets	Diaz	Committee Meeting @ 6:30pm
NEXT MEETING: Wednesday, November 4th 2026 7:00pm Council to follow				

RESOLUTION # _____

Resolution authorizing the Public Works Director to enter into a contract with Ricart Ford, 4255 S Hamilton Rd, Groveport, OH 43125, to purchase one (1) Ford F550 Plow truck for the Streets and Sewer Repair Department.

SECTION 1. That the Public Works Director be, and is hereby, authorized to enter into a contract with Ricart Ford, 4255 S Hamilton Rd, Groveport, OH 43125, to purchase one (1) Ford F550 Plow truck for the Streets and Sewer Repair Departments. The total cost of the purchase is not to exceed One Hundred Twenty Five Thousand Four Hundred Eighty Nine and 00/100 Dollars (\$125,489.00), as contracted.

SECTION 3. That this measure shall take effect and be in force after the earliest time allowed by law, after its passage and approval by the Mayor.

SIGNED /s/ Phillip E. Scott
President of Council

APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BY: ALL MEMBERS OF COUNCIL

RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, OHIO TO PARTICIPATE IN THE PROPOSED CLASS ACTION SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MULTI-DISTRICT LITIGATION MATTER, IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCT LIABILITY LITIGATION, MDL 2:18-MN-2873-RMG, RELATING TO PFAS CONTAMINATION OF DRINKING WATER; AUTHORIZING THE SAFETY SERVICE DIRECTOR TO COMPLETE ALL DOCUMENTATION AND EXECUTE ALL RELEASES AND AGREEMENTS NECESSARY TO PARTICIPATE IN THE SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MDL; AND AUTHORIZING OUTSIDE COUNSEL TO CONTINUE TO PURSUE CLAIMS RELATED TO PFAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 7, 2018, litigation involving the contamination of water and soil by Per- and Polyfluoroalkyl Substances (PFAS) manufactured by various entities was consolidated in the United States District Court of South Carolina as the *In Re: Aqueous Film-Forming Foams Product Liability Litigation*, MDL 2:18-mn-2873-RMG, before the Honorable Richard M. Gergel; and

WHEREAS, settlements have been filed on behalf of manufacturers Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company to compensate public water systems, including the City of Mansfield, Ohio, for the contamination and remediation of PFAS; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MANSFIELD, OHIO that this City Council:

SECTION 1. Approves and incorporates the foregoing recital as if fully set forth herein.

SECTION 2. Authorizes the City of Mansfield, Ohio to participate in the proposed Class Action Settlements with Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company in the Public Water Systems' portion of the multidistrict litigation matter, *In Re: Aqueous Film-Forming Foams Product Liability Litigation*, MDL 2:18-mn-2873-RMG, relating to PFAS contamination of public drinking water (hereinafter, the "MDL").

SECTION 3. Authorizes Outside Counsel to complete all documentation required to participate in the Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company Settlements for the Public Water Systems' portion of the MDL, such as Claims

SECTION 4. Authorizes the Safety Service Director to: (a) verify and approve documentation required to participate in the Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company Settlements for the Public Water Systems' portion of the MDL, such as Claims Forms, that is completed as authorized in Section 3; and (b) execute all releases and agreements necessary to finalize settlements of the Public Water Systems' portion of the MDL with Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company on behalf of the City of Mansfield, Ohio.

SECTION 6. That by reason of the immediate need to expedite the settlement of this claim, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

BILL # 26-181

ORDINANCE # _____

BY: MR. MIRANDA

Ordinance to resolve current inconsistencies regarding the Sewer Assistance Program and current claims practices under the Sewer Assistance Program where damage is caused by City sewer back-ups or by City water main breaks, and replacing and repealing Ordinance Number 22-05 to align the Sewer Assistance Program to current procedure, and declaring an emergency.

WHEREAS, by Ordinance # 89-065 this Council established, on a one-year experimental basis for 1989, a special Sewer Assistance Fund to be used solely for assistance to citizens whose homes or businesses are damaged by City sewer back-up, with specific provisions covering claims for such assistance,

WHEREAS, by Ordinance # 90-311 the above special assistance program was continued and renewed for the year 1990 and thereafter so long as the funds are appropriated therefor, and

WHEREAS, by Ordinance # 92-241 the above special assistance program was established as a permanent budget account and the maximum reimbursable was increased, and

WHEREAS, by Ordinance # 95-107 this Council extended the fund to make assistance available for water main break as well as sewer back-ups, and

WHEREAS, by Ordinance # 02-078 this Council increased the maximum reimbursable amount available under such program from \$500.00 to \$600.00 for all sewer back-ups and water main breaks, and

WHEREAS, by Ordinance # 22-051 this Council increased the maximum reimbursable amount available under such program from \$600.00 to \$1,200.00 for all sewer back-ups and water main breaks, and replacing all previous Sewer Assistance Ordinances, and

WHEREAS, the purpose of this Ordinance is to resolve current inconsistencies of the Sewer Assistance Program to align with the procedures for claims filed against the City and repeal and replace Ordinance # 22-051.

**NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE
CITY OF MANSFIELD, OHIO:**

SECTION 1. That Ordinances # 89-065, #90-311, # 92-241, #95-107, #02-078, and #22-051 be, and the same are hereby, repealed and superseded by this Ordinance.

SECTION 2. That the funds in the amount of up to Twelve Thousand Dollars (\$12,000.00) each, if available, may be provided and appropriated during each fiscal year for "Sewer Claims" Under Fund Account 503.99.99.5804 (Sewer Fund) and to be used solely for assistance to citizens whose homes or businesses require cleaning and/or repair because of City sewer back-ups, or for "Water Claims" under Fund Account 502.99.99.5804 (Water Fund) to be used solely for assistance to citizens whose homes or businesses require cleaning and/or repair because of City water line breaks.

SECTION 3. That each of the funds designated in Section 2 hereof shall be administered in accordance with the following provisions:

- A. Sewer backup and water main break claims shall be made on forms available in the office of the Clerk of Council.
- B. Claims must be filed within sixty (60) days of the occurrence of the sewer back-up or water main break ("the Incident") and will be considered in the order of receipt as date-stamped on their delivery to the Law Director's Office.
- C. Regardless of the date of Incident, no claim request shall be approved after the applicable fund is exhausted.
- D. No household or business may receive program assistance more than once for any incident.
- E. For damage resulting from sewer back-ups and water main breaks, claim assistance shall be limited to reimbursement for up to 50% of documented expenses incurred directly as the result of the incident but in no event shall more than \$1200.00 be reimbursable.

Examples:

- 1) Incident Expenses of \$500.00
Maximum allowable reimbursement of \$250.00
- 2) Incident Expenses of \$3,000.00
Maximum allowable reimbursement of \$1,200.00

- F. Subject to limitation herein, expenses shall only be eligible for reimbursement if the expenses are verified by paid invoices for services, repairs, etc. directly resulting from the Incident.
- G. Unpaid estimates for service or repairs shall not be reimbursed.
- H. Assistance may be provided under this program for uninsured losses and/or if there is insurance available for the damage/loss, to assist with the policy deductible.
- I. Assistance shall not be provided if other third-party reimbursement is available for the damage/loss caused by the Incident.
- J. Each request for assistance for sewer back-up or water main break claims that may qualify for program assistance shall be:
 - a. Reviewed and investigated by the Law Director's Office to verify that the Incident was timely reported to the Sewer Repair Department of Water Repair Department as is appropriate, that the existence thereof was verified through receipts, photographs, insurance policy (with declarations), witness statements from the claimant, and or work orders from the Service Complex, that claimed losses and expenses are reasonable under the circumstances and that the

b. Forwarded by the Law Director's Office, with the Law Director's recommendation as to the qualification of the claim and as to the potential liability of the City for the incident with all documentation related thereto, to the Claims Committee of Council for its consideration which may to accept, modify or reject the request for program assistance through the claim process.

L. In connection with this assistance program, the Public Works Director, Claims Committee, or the City Engineer may provide the applicants with generalized information concerning measures which may be helpful in avoiding future incidents of sewer back-ups or water main breaks.

N. Before the City make any payments to Claimants under this program, the Claimants must sign a release produced by the City releasing the City of any liability and barring any legal action against the City regarding the Incident.

Caucus	20 October 2026
1 st Reading	20 October 2026
2 nd Reading	
PASSED	20 October 2026

APPROVED /s/ Jodie Perry
Mayor

Roeliff E. Harper, Esq.
Law Director
City of Mansfield, Ohio

BILL #26-182*

ORDINANCE# _____

BY: MRS. MOUNT

Ordinance enacting Chapter 521, Section 521.17 of the Mansfield Municipal Code to prohibit camping within the central business district, establish enforcement procedures and exceptions, and provide penalties.

WHEREAS, the City of Mansfield possesses authority to regulate the use of public property and to protect the public health, safety, and welfare within the City; and

WHEREAS, streets, sidewalks, alleys, parks, plazas, rights-of-way, and other public places within the Central Business District are intended to remain safe, sanitary, accessible, and available for their designated public uses; and

WHEREAS, camping in densely developed public places may obstruct pedestrian and emergency access, interfere with the use and maintenance of public property, create fire and sanitation hazards, and impair access to businesses, residences, public facilities, and transportation; and

WHEREAS, this Ordinance regulates conduct rather than a person's housing status, economic status, disability, or other condition, and does not prohibit a person from merely being present in the Central Business District; and

WHEREAS, City Council intends that this Ordinance be administered objectively and without discrimination, consistently with constitutional protections for speech, assembly, religion, due process, equal protection, freedom from unreasonable searches and seizures, and the rights of persons with disabilities; and

WHEREAS, City Council further intends to provide reasonable notice and an opportunity to discontinue prohibited conduct before enforcement, except when immediate action is reasonably necessary to protect persons or property or to address another exigent circumstance;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Section 521.17 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, enacted to read as follows:

“521.17 CAMPING PROHIBITTED WITHIN THE CENTRAL BUSINESS DISTRICT

a. Purpose and Construction.

- 1. The purpose of this section is to protect public health and safety; preserve unobstructed access to streets, sidewalks, rights-of-way, parks, plazas, public buildings, businesses, residences, transit facilities, parking facilities, and emergency services; reduce fire and sanitation hazards; protect property; and**

maintain property within the Central Business District for its intended public, commercial, residential, and civic uses.

2. This section regulates conduct and does not criminalize or otherwise prohibit any person's status, including status as a person experiencing homelessness.
3. This section shall be enforced without regard to a person's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, familial status, military status, housing status, economic status, or other classification protected by applicable law.
4. This section shall be construed narrowly to prohibit only the conduct expressly identified herein and shall not be construed to prohibit conduct protected by the United States Constitution, the Ohio Constitution, or other applicable law.

b. Definitions. As used in this section:

1. **"Camp" or "Camping"** means knowingly using an Outdoor Area as a temporary or permanent place of habitation, living accommodation, or lodging, as objectively demonstrated by one or more of the following:
 - a. Erecting, installing, maintaining, occupying, or using a tent, hut, lean-to, shack, tarpaulin enclosure, or other structure or shelter, other than clothing or an item worn or carried on the person;
 - b. Arranging, maintaining, or using bedding, sleeping bags, bedrolls, blankets, mattresses, cots, cardboard, furniture, or similar materials in a manner that objectively manifests use of the location as living accommodation or lodging;
 - c. Maintaining personal belongings, cooking equipment, food, or other materials at the location in a manner that objectively manifests an intent to establish or maintain living accommodation or lodging;
 - d. Preparing, igniting, or maintaining a fire, stove, grill, or other heat-producing or cooking device for habitation or lodging purposes; or
 - e. Establishing or maintaining a temporary or permanent place for habitation or lodging by a combination of sleeping, sheltering, storing personal belongings, cooking, or similar activities.

"Camping" does not include conduct expressly excluded under subsection (d) or the temporary use of clothing, a blanket, or another item solely for warmth without additional objectively observable circumstances demonstrating that the person is using the location as living accommodation or lodging.

2. **"Central Business District"** means all territory within the municipal boundaries of the City that is classified as the CB Central Business District under the City's official zoning map and Section 1167.07 of the Mansfield Municipal Code, as either may lawfully be amended from time to time. The CB Central Business District is the zoning district designated for the City's core business center and its business, retail, office, public, quasi-public, and residential uses.
3. **"Emergency"** means a sudden, unexpected, or imminent circumstance creating a substantial risk of death or serious physical harm that makes temporary sheltering reasonably necessary, including severe weather, fire, natural disaster, medical emergency, or displacement caused by governmental emergency action.
4. **"Outdoor Area"** means any unenclosed area within the Central Business District that is:
 - a. Owned, controlled, maintained, or operated by the City or another governmental

entity, including a street, alley, sidewalk, public right-of-way, tree lawn, park, plaza, public parking area, public building grounds, or similar property;

b. Open or generally accessible to the public, including an entrance, alcove, breezeway, walkway, parking area, vacant lot, or other unenclosed area; or

c. Privately owned and used for Camping without the express consent of the person lawfully entitled to control the property.

“Outdoor Area” does not include the interior of a building, dwelling, lodging establishment, emergency shelter, motor vehicle lawfully parked in a location where overnight occupancy is expressly authorized, or other facility lawfully operated and authorized for human habitation or overnight accommodation.

5. **“Personal Property”** means an item that reasonably appears to belong to a person and has apparent utility or value. The term does not include contraband, evidence of a crime, an item presenting an immediate health or safety hazard, perishable food presenting a sanitation hazard, refuse, or property that is abandoned within the meaning of subsection (g).

6. **“Severe Weather”** means weather conditions for which the City, Richland County, the State of Ohio, or a federal or state weather authority has issued or activated an emergency declaration, warning, or advisory indicating an imminent and substantial risk to human life or safety within the City.

c. Prohibited Conduct.

1. No person shall knowingly Camp in an Outdoor Area within the Central Business District.

2. Each materially separate establishment or maintenance of a campsite constitutes a separate violation. Conduct constituting one substantially continuous episode of Camping shall constitute only one offense, notwithstanding that the episode continues for more than one calendar day, unless:

a. The person has discontinued the prohibited conduct and thereafter knowingly reestablishes a campsite; or

b. Following notice under subsection (e), the person refuses to discontinue the prohibited conduct, a citation is issued or an arrest is made, and the person thereafter knowingly reestablishes or continues the campsite after being released or otherwise afforded a reasonable opportunity to comply.

3. A person’s actual or perceived housing status, mere presence in an Outdoor Area, or status as asleep, resting, sitting, lying down, or sheltering from the elements, without additional objectively observable conduct satisfying the definition of Camping, does not establish a violation.

d. Exceptions. This section does not prohibit:

1. Camping expressly authorized by a permit, written agreement, or other written approval issued by the City or by the governmental or private person lawfully controlling the property;

2. Activities conducted by governmental personnel or contractors in the performance of official duties;

3. Temporary sheltering reasonably necessary because of an Emergency, but only for the duration of the Emergency and for a reasonable period thereafter sufficient to permit the person to leave safely;

4. Temporary use of an Outdoor Area while a person is awaiting emergency medical care, law-enforcement assistance, fire or rescue assistance, transportation arranged by a governmental or social-service provider, or admission to a shelter or treatment facility, provided the person does not materially obstruct pedestrian, vehicular, emergency, or accessibility routes;
 5. Conduct expressly authorized by law as part of a permitted special event, festival, demonstration, vigil, assembly, construction activity, maintenance activity, or similar temporary use;
 6. Conduct that constitutes protected speech, assembly, religious exercise, or expressive activity, except that the use of a campsite as expressive conduct remains subject to reasonable and lawful restrictions on the time, place, and manner of that conduct; or
 7. Conduct for which application of this section would violate applicable law, including a legally required reasonable modification for a person with a disability. Nothing in this paragraph requires the City to permit conduct that creates a direct threat to health or safety, materially obstructs access, or fundamentally alters the nature of a City program, service, activity, or facility.
- e. Notice and Opportunity to Comply.**
1. Except as provided in paragraph (e)(4), before issuing a citation or making an arrest for a violation of this section, an enforcing officer shall:
 - a. Identify himself or herself as a law-enforcement or other authorized enforcement officer;
 - b. Inform the person of the conduct constituting the alleged violation;
 - c. Request that the person discontinue the prohibited conduct and remove the campsite and Personal Property from the Outdoor Area; and
 - d. Afford the person a reasonable opportunity to comply under the circumstances.
 2. In determining what constitutes a reasonable opportunity to comply, the enforcing officer may consider the amount and nature of property to be removed, the person's apparent physical condition and mobility, weather conditions, the availability of transportation or assistance already offered or arranged, the location and severity of any obstruction or hazard, and other objectively relevant circumstances.
 3. When reasonably practicable, the enforcing officer may provide information concerning available shelter, transportation, medical care, behavioral-health services, or social services. The availability or acceptance of shelter or services is not an element of an offense under this section and, except as otherwise required by applicable law, is not a prerequisite to enforcement.
 4. Advance notice and an opportunity to comply are not required when:
 - a. The conduct creates or contributes to an imminent threat of death, serious physical harm, fire, substantial property damage, or material interference with emergency operations;
 - b. Immediate action is reasonably necessary to preserve evidence, seize contraband, address criminal conduct other than the violation of this section, or protect a person from imminent harm;
 - c. The person has been given the notice required by this subsection concerning the same substantially continuous episode of Camping and has refused to comply or has resumed the prohibited conduct after initially appearing to comply; or

d. Providing advance notice would otherwise be impracticable because of exigent circumstances.

5. An enforcing officer's failure to offer transportation, shelter, treatment, or social services does not, by itself, constitute a defense to prosecution, provided that the notice and reasonable-opportunity requirements otherwise applicable under this subsection have been satisfied.

f. Disability-Related Requests.

1. A person may request a reasonable modification of the manner in which this section is enforced because of a disability. No particular words or written request are required if the nature of the request and its relationship to a disability are reasonably apparent.
2. An enforcing officer shall consider a disability-related request in accordance with applicable law and, when reasonably practicable, may consult a supervisor or other appropriate City official before taking enforcement action.
3. A reasonable modification may include additional time to comply, reasonable assistance in gathering Personal Property, or another modification appropriate to the circumstances. A modification need not be provided if it would create a direct threat, materially obstruct access or emergency operations, fundamentally alter a City program or facility, or otherwise be unreasonable under applicable law.

g. Personal Property.

1. A person directed to discontinue Camping shall be afforded a reasonable opportunity to remove Personal Property, except when immediate removal is necessary to address an imminent health or safety hazard or exigent circumstances.
2. Personal Property shall not be deemed abandoned solely because it is unattended. Property may be treated as abandoned when:
 - a. Its owner affirmatively disclaims ownership;
 - b. The circumstances objectively demonstrate that the owner has intentionally relinquished ownership; or
 - c. Notice has been provided in accordance with applicable City procedures and the property remains unclaimed after expiration of the stated removal period.
3. Personal Property removed by the City shall be inventoried, stored, released, or disposed of in accordance with applicable law and established City procedures. Contraband, evidence, hazardous materials, perishable items presenting a sanitation hazard, and refuse may be handled in accordance with applicable law without storage under this subsection.
4. Nothing in this section authorizes the destruction or permanent deprivation of Personal Property without the process required by applicable law.

h. Enforcement and Evidence.

1. A violation shall be determined from the totality of objectively observable circumstances. No single circumstance is necessarily conclusive, and no person shall be cited or arrested solely because of the person's actual or perceived housing status.
2. When reasonably practicable, the enforcing officer shall document:
 - a. The location, date, and approximate time of the violation;
 - b. The objectively observable conduct supporting probable cause;
 - c. The notice given and the opportunity afforded to comply;

- d. Whether the person complied, refused, or was unable to comply and any objectively apparent reason therefor;
 - e. Any Emergency or disability-related circumstance brought to the officer's attention; and
 - f. The disposition of Personal Property taken into City custody.
3. Nothing in this section limits an officer's authority to enforce any other applicable law or ordinance.

I. Penalties.

1. Whoever violates subsection (c) is guilty of:
 - a. A minor misdemeanor for a first offense;
 - b. A misdemeanor of the fourth degree for a second offense committed within twelve months after the date of the first offense; and
 - c. A misdemeanor of the third degree for a third or subsequent offense committed within any twelve-month period.
2. For purposes of determining the level of an offense under paragraph (i)(1), only a prior violation of this section that resulted in a conviction or guilty plea may be counted. A prior violation shall be counted only if the date on which that prior violation occurred falls within the twelve-month period immediately preceding the date of the current violation.
3. The authorized fines, terms of imprisonment, and other penalties corresponding to a minor misdemeanor, misdemeanor of the fourth degree, or misdemeanor of the third degree shall be those prescribed by Section 501.99 of the Mansfield Municipal Code.
4. A court may impose any lawful sentence or condition authorized for the applicable degree of misdemeanor. Nothing in this section shall be construed to require incarceration or to restrict the court's lawful discretion to consider community service, treatment, housing-related services, behavioral-health services, probation, or another lawful sentencing alternative.

j. Defenses and Burden of Proof.

1. The prosecution shall prove every element of an alleged violation beyond a reasonable doubt.
2. It is an affirmative defense that the defendant's conduct was within an exception stated in subsection (d), except to the extent applicable law assigns a different burden.
3. Necessity, duress, and all other defenses recognized by applicable law remain available.

k. No Private Right of Action. This section does not create a private right of action against the City, its officers, employees, agents, contractors, or any other person."

SECTION 2. SEVERABILITY. The provisions of this Ordinance and Section 521.17 are severable. If any provision, paragraph, sentence, clause, phrase, definition, application, or penalty is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect any other provision or application that can be given effect without the invalid or unenforceable portion. City Council declares that it would have enacted each remaining provision and application independently. If a penalty classification is held invalid as applied to a particular offense, the highest lesser penalty classification lawfully applicable shall apply to the fullest extent permitted by law.

SECTION 3. CODIFICATION. The Clerk of Council and the City's codifier are authorized and directed to codify Section 521.17 as enacted by this Ordinance and may correct manifest clerical, typographical, punctuation, capitalization, formatting, and numbering errors, provided that no correction changes the substantive meaning of this Ordinance.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest date permitted by law following its passage and approval.

Caucus	<u>20 October 2026</u>
1 st Reading	<u>04 November 2026</u>
2 nd Reading	<u>17 November 2026</u>
PASSED	<u>17 November 2026</u>

SIGNED /s/ Phillip E. Scott
President of Council

ATTEST /s/ Delaine Weiner
Clerk of Council

APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
 Law Director
 City of Mansfield, Ohio

*Publication Required.

BY: MR. DIAZ

Ordinance amending Chapter 371, Section 371.12, and Chapter 373, Sections 373.01, 371.02, 373.11, and 373.25 of the Mansfield Codified Ordinances concerning code application to Electric Personal Assistive Mobility Devices, Bicycles and the use of Bicycles on City Streets.

WHEREAS, the City finds it beneficial to the needs of the community to update and revise said Chapter and Sections.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Section 371.12 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

“371.12 ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

(a)

(1) Electric personal assistive mobility devices, as defined in Ohio R.C. 4501.01, may be operated on the public streets, ~~highways, sidewalks, and paths~~ highways, and paths and portions of roadways set aside for the exclusive use of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this Traffic Code that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, ~~highway, sidewalk, or path~~ highway, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.

(b) No operator of an electric personal assistive mobility device shall do any of the following:

(1) Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times;

~~(2)~~ Operate the device upon a sidewalk within the City of Mansfield;

~~(2 3)~~ Fail to give an audible signal before overtaking and passing a pedestrian;

~~(3 4)~~ Operate the device at night unless the device or its operator is equipped with or wearing both of the following:

A. A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;

B. A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

~~(4 5)~~ Operate the device on any portion of a street or highway that has an established speed limit of fifty-five miles per hour or more;

~~(5 6)~~ Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path;

~~(6 7)~~ If under eighteen years of age, operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;

(7 8) If under sixteen years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen years of age or older and is responsible for the immediate care of the person under sixteen years of age.

(c) No person who is under fourteen years of age shall operate an electric personal assistive mobility device.

(d) No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially equivalent to the following: "WARNING: TO REDUCE THE RISK OF SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT - HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS". (ORC 4511.512)

(e) "Electric personal assistive mobility device" means a self-balancing two non-tandem wheeled device that is designed to transport only one person, has an electric propulsion system of an average of seven hundred fifty watts, and when ridden on a paved level surface by an operator who weighs one hundred seventy pounds has a maximum speed of less than twenty miles per hour. (ORC 4501.01)

(f) Whoever violates subsection (b) or (c) hereof is guilty of a minor misdemeanor and shall be punished as follows:

(1) The offender shall be fined ten dollars (\$10.00).

(2) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of Ohio R.C. 4511.512 or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under subsection (f) (1) hereof, shall do one of the following:

A. Order the impoundment for not less than one day but not more than thirty days of the electric personal assistive mobility device that was involved in the current violation of that section. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars (\$5.00) per day, provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars (\$50.00).

B. If the court does not issue an impoundment order pursuant to subsection (f)(2)A. hereof, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles for not less than one day but not more than thirty days.

(3) A second violation of this section, and any subsequent violations of this section may be punished by a fine of up to one hundred fifty dollars (\$150).

(g) Whoever violates subsection (d) hereof is guilty of a minor misdemeanor.

(h) Notwithstanding the general prohibition in this section, a person may operate an electric personal assistive mobility device on a sidewalk within a Residential Area, only while its electric motor is disengaged and may not use the electric motor to propel the device.

(1) Conditions of Operation. A person operating an electric personal assistive mobility device on a sidewalk under this exception shall:

A. Yield the right-of-way to every pedestrian and provide an audible signal before overtaking and passing a pedestrian;

B. Operate at a reasonable and prudent speed under the existing conditions, not exceeding ten (10) miles per hour;

- C. Exercise due care to avoid colliding with any person, animal, vehicle, structure, or other property;
 - D. Dismount when necessary to avoid endangering or unreasonably interfering with pedestrians; and
 - E. Comply with all applicable traffic-control devices and other provisions of law.
- (2) Posted Restrictions. The Chief of the Mansfield Police Department may prohibit or further restrict operation on any sidewalk or sidewalk segment when reasonably necessary for public safety, pedestrian access, construction, congestion, or another legitimate municipal purpose. A restriction imposed under this paragraph becomes effective when appropriate signs or official traffic-control devices provide notice of the restriction.”

SECTION 2. That Section 373.01 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

“373.01 CODE APPLICATION TO BICYCLES.

(a) The provisions of this Traffic Code that are applicable to bicycles and electric bicycles apply whenever a bicycle or electric bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles.

(b) Except as provided in subsection (d) of this section, a bicycle operator or electric bicycle operator who violates any section of this Traffic Code described in subsection (a) of this section that is applicable to bicycles or electric bicycles may be issued a ticket, citation or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating a bicycle or electric bicycle shall not have any points assessed against the person’s driver’s license, commercial driver’s license, temporary instruction permit, or probationary license under Ohio R.C. 4510.036.

(c) Except as provided in subsection (d) of this section, in the case of a violation of any section of this Traffic Code described in subsection (a) of this section by a bicycle operator, electric bicycle operator, or motor vehicle operator when the trier of fact finds that the violation by the motor vehicle operator endangered the lives of bicycle riders or electric bicycle riders at the time of the violation, the court, notwithstanding any provision of this Traffic Code to the contrary, may require the bicycle operator, electric bicycle operator or motor vehicle operator to take and successfully complete a bicycling skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed by the Traffic Code for that violation.

(d) Subsections (b) and (c) of this section do not apply to violations of Section 333.01 of this Traffic Code. (ORC 4511.52) (e) The provisions of this Traffic Code shall apply to bicycles and electric bicycles except those which by their nature are not applicable.

(f) As used in this chapter “bicycle” and “motorized bicycle” have the meanings set forth in Chapter 301.

(g) As used in this chapter, “bicycle” includes “motorized bicycle” and “motorized bicycle” includes “bicycle”. (Ord. 79-182. Passed 6-5-79.)

(h) As used in this chapter, “bicycle” includes “electric bicycle” and “electric bicycle” includes “bicycle”.”

SECTION 3. That Section 373.02 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

"373.02 RIDING UPON SEATS; HANDLE BARS; HELMETS AND GLASSES.

(a) For purposes of this section "snowmobile" has the same meaning as given that term in Ohio R.C 4519.01.

(b) No person operating a bicycle or electric bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, or carry any other person upon such bicycle or electric bicycle other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle or electric bicycle other than upon such a firmly attached and regular seat.

(c) Every operator of a bicycle or electric bicycle, if under eighteen years of age, shall wear a protective helmet on the person's head with the chin strap properly fastened while operating the bicycle or electric bicycle.

(ed) No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.

(de) No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.

(ef) No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.

(fg) No person operating a bicycle or electric bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars.

(gh) No bicycle, electric bicycle, or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No motorcycle shall be operated on a highway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle.

(hi) (1) Except as provided in subsection (2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in subsection (ih)(3) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with rules adopted by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.

(2) Subsection (h)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(ij) (1) No person shall operate a motorcycle with a valid temporary permit and temporary instruction permit identification card issued by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.

(2) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar pursuant to Ohio R.C. 4507.05 in any of the following circumstances:

- A. At any time when lighted lights are required by Section 337.02 (a)(1);
- B. While carrying a passenger;
- C. On any limited access highway or heavily congested roadway.

(3) Subsections (i)(1) and (i)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(jk) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle or electric bicycle.

(kl) Except as otherwise provided in this subsection, 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 one predicate motor vehicle or traffic offense, whoever violates 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 this section is guilty of a misdemeanor of the third degree. (ORC 4511.53)”

SECTION 4. That Section 373.11 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

“373.11 RIDING ON SIDEWALK.

(a) ~~No person shall ride a bicycle, a skateboard, a scooter, in line skates or roller skates upon a sidewalk within an area bounded by~~ No person over fourteen years of age shall ride a bicycle or electric bicycle upon any sidewalk within the City of Mansfield. No person shall ride a skateboard, a scooter, in line skates or roller skates upon a sidewalk within an area bounded by Sturges Avenue and Bowman Street on the west, Fifth Street on the north, Adams Street on the east and First Street on the south and all City-owned property, excepting City-owned parks outside the Central Business District. Sturges Avenue and Bowman Street on the west, Fourth Street on the north, Adams Street on the east and Second Street on the south and all City-owned property, excepting City-owned parks outside the Central Business District.

(b) No person shall ~~ride a bicycle, a skateboard, a scooter, in line skates or roller skates upon a sidewalk or within the area commonly~~ ride a skateboard, a scooter, in line skates or roller skates upon a sidewalk or within the area commonly known as “Central Park”.

(c) No person shall ~~ride a bicycle, a skateboard, a scooter, in line skates or roller skates upon a sidewalk where the Chief of Police~~ ride a skateboard, a scooter, in line skates or roller skates upon a sidewalk where the Chief of Police or officer designated by him has prohibited the riding of them thereon and has erected signs on or along such sidewalks setting forth such prohibition.

(d) Whenever a person is ~~riding a bicycle, a skateboard, a scooter, in line skates or roller skates upon a sidewalk~~ riding a skateboard, a scooter, in line skates or roller skates upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before attempting to overtake and pass such pedestrian.

(e) The provisions of this section shall not be applicable to bicycles operated by Mansfield police officers on duty. (Ord. 98-210. Passed 9-1-98.)

(f) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

(g) Notwithstanding the general prohibition in this section, a person may operate bicycle or electronic bicycle on a sidewalk within a Residential Area, only while its electric motor is disengaged and may not use the electric motor to propel the device.

(1) Conditions of Operation. A person operating a bicycle or electric bicycle on a sidewalk under this exception shall:

- A. Yield the right-of-way to every pedestrian and provide an audible signal before overtaking and passing a pedestrian;
- B. Operate at a reasonable and prudent speed under the existing conditions, not exceeding ten (10) miles per hour;
- C. Exercise due care to avoid colliding with any person, animal, vehicle, structure, or other property;
- D. Dismount when necessary to avoid endangering or unreasonably interfering with pedestrians; and
- E. Comply with all applicable traffic-control devices and other provisions of law.

(2) Posted Restrictions. The Chief of the Mansfield Police Department may prohibit or further restrict operation on any sidewalk or sidewalk segment when reasonably necessary for public safety, pedestrian access, construction, congestion, or another legitimate municipal purpose. A restriction imposed under this paragraph becomes effective when appropriate signs or official traffic-control devices provide notice of the restriction.”

SECTION 4. That Section 373.25 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

“373.25 ELECTRIC BICYCLES.

(a) (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the Municipality by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path.

(2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway or the Municipality by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.

(3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, unless the Municipality by resolution, ordinance or rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.

(4) Subsections (a)(2) and (a)(3) of this section do not apply to a law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, using an electric bicycle while in the performance of the officer’s duties.

(b) (1) No person under sixteen years of age shall operate a class 3 electric bicycle; however, a person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

(2) No person ~~under eighteen years of age shall operate or be a passenger on a class 3 electric bicycle unless~~ operate or be a passenger on a class 1 electric bicycle, a class 2 electric bicycle, or

a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(c) (1) Except as otherwise provided in this subsection, whoever operates an electric bicycle in a manner that is prohibited under subsection (a) of this section and whoever violates subsection (b) 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 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 this section is guilty of a misdemeanor of the third degree.

(2) The offenses established under subsection (c)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of these offenses as strict liability offenses 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 4511.522)”

SECTION 5. SEVERABILITY. The provisions of this Ordinance and Sections 371.12, 373.01, 371.02, 373.11, and 373.25 are severable. If any provision, paragraph, sentence, clause, phrase, definition, application, or penalty is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect any other provision or application that can be given effect without the invalid or unenforceable portion. City Council declares that it would have enacted each remaining provision and application independently. If a penalty classification is held invalid as applied to a particular offense, the highest lesser penalty classification lawfully applicable shall apply to the fullest extent permitted by law.

SECTION 6. CODIFICATION. The Clerk of Council and the City’s codifier are authorized and directed to codify Section Sections 371.12, 373.01, 371.02, 373.11, and 373.25 as enacted by this Ordinance and may correct manifest clerical, typographical, punctuation, capitalization, formatting, and numbering errors, provided that no correction changes the substantive meaning of this Ordinance.

SECTION 7. This Ordinance shall take effect and be in force from and after the earliest date permitted by law following its passage and approval.

Caucus	<u>20 October 2026</u>
1 st Reading	<u>04 November 2026</u>
2 nd Reading	<u>17 November 2026</u>
PASSED	<u>17 November 2026</u>

SIGNED /s/ Phillip E. Scott
President of Council

ATTEST /s/ Delaine Weiner
Clerk of Council

APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio

*Publication Required.