

ORDINANCE NO. C-11-89

AN ORDINANCE TO REPEAL SECTION 303.01 OF THE  
CODIFIED ORDINANCES OF THE CITY AND TO ENACT NEW  
SECTION 303.01 RELATING TO FLEEING A POLICE OFFICER  
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WHEREAS, there have been several instances in Franklin County recently where motorist fleeing a police officer have caused crashes resulting in serious injury and death; and

WHEREAS, fleeing is a misdemeanor under both the City and State Codes; and

WHEREAS, the current City Code does not distinguish the situation where the flight results in serious physical harm; and

WHEREAS, to deter flight in the first instance, the City Code should provide for mandatory imprisonment where fleeing a police officer results in serious physical harm;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Section 303.01 of the Codified Ordinances of the City of Grove City is hereby repealed and new Section 303.01 is hereby enacted and shall read:

303.01 COMPLIANCE WITH LAWFUL ORDER OF POLICE OFFICER; FLEEING

(a) No person shall fail to comply with any lawful order or direction of any police officer invested with authority to direct, control, or regulate traffic.

(b) No person shall operate a motor vehicle so as to willfully elude or flee a police officer after receiving a visible or audible signal from a police officer to bring his vehicle to a stop.

(1) If the offender has previously been convicted of willfully eluding or fleeing a police officer under Section 4511.02(B), Ohio Revised Code, or of this Section or a similar municipal ordinance, then the Court shall impose at least thirty (30) days imprisonment for violation of this subsection (b), which is mandatory.

(2) If an offender causes serious physical harm to persons or property while fleeing a law enforcement officer in violation of this section, then the Court shall impose at least ninety (90) days imprisonment, which is mandatory, and that sentence shall be consecutive to any other sentence imposed for violations of the traffic laws of this City or State as a result of that incident or series of incidents.

(c) Whoever violates subsection (a) is guilty of a minor misdemeanor. Whoever violates subsection (b) is guilty of a misdemeanor of the first degree.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.