

Village of Mantua, Ohio
ORDINANCE 2012-39

**AN ORDINANCE ENACTING SECTION 541.052 OF THE CODIFIED ORDINANCES
OF THE VILLAGE OF MANTUA, PROHIBITING TRESPASSING ON SCHOOL
PROPERTY, AND DECLARING AN EMERGENCY.**

WHEREAS, the Safety Committee has recommended that an Ordinance be enacted in order to prohibit trespassing on school property; and

WHEREAS, the Village Council wishes to address this recommendation by enacting Section 541.052 of the Village of Mantua Codified Ordinances.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Mantua, a majority or more of the members elected thereto concurring that:

SECTION 1. Section 541.052 of the Codified Ordinances of the Village of Mantua is hereby enacted as follows:

541.052 TRESPASS UPON SCHOOL GROUNDS OR FACILITIES.

- (a) No person shall visit or loiter in any public or private school building or on any public or private school property during hours when school is in session, without the permission of the principal, custodian or other person in charge of such public or private school.
- (b) The provisions of division (a) above shall not include students specifically designated by assignment in such school (except those currently under suspension or expulsion), or to persons legitimately attending a school sponsored event; unless ordered to leave by the principal or custodian or other person in charge or any law enforcement officer; nor shall it include parents or legal guardians of students or other persons having legitimate business, provided that such person(s) registered at the office of the school and were granted permission prior to said visit.
- (c) As used herein, the term "loiter" or "visit" shall mean to stand, stay or be present within the territory set forth in division (a) above without any direct purpose or to remain in such location aimlessly or idly, or to be in such area for some prohibited or otherwise illegal purpose.
- (d) As used in this section, the term "school" means the grounds or any facility of any preschool, kindergarten, elementary school, middle school, junior high school, or high school, whether public or nonpublic as further defined by Ohio R.C. 2925.01 (Q), (R), (S).
- (e) Any person(s) who violates this section is guilty of a misdemeanor of the fourth degree. Any person(s) who enters or remains on school property after the principal, or his or her designee, or any law enforcement officer, has directed such person to leave said school premises, is guilty of a misdemeanor of the third degree.

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SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure, effective immediately upon its passage to advance the health, safety and welfare of the municipality, and for the further reason that this Council desires that the Ordinance be in full force and effect prior to the start of the 2012-2013 school year.

PASSED IN Council this 18th day of September, 2012.

1st Reading: July 17, 2012

Mayor

2nd Reading: August 21, 2012

3rd Reading: September 18, 2012

ATTEST:

Effective: September 18, 2012

Clerk

I hereby certify the above Ordinance was duly posted at the five (5) public notice locations in the Village of Mantua, Ohio.

Clerk

Approved as to Legal Form:

Michele A. Stuck
Solicitor, Village of Mantua