

# City of Cincinnati

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## An Ordinance No. \_\_\_\_\_

- 2025

**MODIFYING** Chapter 723, “Streets and Sidewalks, Use Regulations,” by **ORDAINING** new Section 723-77, “Trespass in a Designated Bus Rapid Transit Zone,” and by **AMENDING** Section 723-26, “Designated Streetcar Transit Zone,” to promote the safe and efficient operation of a bus rapid transit system in the public right-of-way.

WHEREAS, the Southwest Ohio Regional Transit Authority (“SORTA”) is designing and constructing a bus rapid transit system in and through the City of Cincinnati; and

WHEREAS, the Cincinnati Municipal Code currently provides for bus stops in the public right-of-way but does not provide for separate bus rapid transit zones in the public right-of-way; and

WHEREAS, the City and SORTA have a strong interest in promoting and protecting the safety and welfare of the traveling public by designating areas for the bus rapid transit system; and

WHEREAS, Council wishes to provide for the designation of bus rapid transit zones and to ensure these zones promote the safe and efficient operation of the bus rapid transit system; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Section 723-77, “Trespass in a Designated Bus Rapid Transit Zone,” of Chapter 723, “Streets and Sidewalks, Use Regulations,” of the Cincinnati Municipal Code is hereby ordained to read as follows:

### **Sec. 723-77. – Trespass in a Designated Bus Rapid Transit Zone.**

No person shall enter or remain upon, occupy, or use a designated bus rapid transit zone established pursuant to Section 723-26 of this Chapter for purposes other than boarding or disembarking a bus rapid transit vehicle, waiting for a bus rapid transit, or purchasing a fare. A person is in violation of this section only after having occupied a designated bus rapid transit zone for a period of time that exceeds that which is necessary to purchase a fare and to wait for, board, or disembark a bus rapid transit vehicle. It shall be prima facie evidence of a violation of this section if a person remains in a designated bus rapid transit zone after two bus rapid transit vehicles stop and the person does not board either of the bus rapid transit vehicles.

A person violating this section shall be guilty of a misdemeanor of the fourth degree and shall be fined not more than \$250 or imprisoned not more than 30 days, or both.

Section 2. That existing Section 723-26, "Designated Streetcar Transit Zones," of Chapter 723, "Streets and Sidewalks, Use Regulations," of the Cincinnati Municipal Code is hereby amended to read as follows:

**Sec. 723-26. - Designated Streetcar Transit Zones.**

- (a) Streetcar Transit Zones. The Director of the Department of Transportation and Engineering may designate a streetcar station platform located in the public right-of-way as a designated streetcar transit zone, which area shall be accessible exclusively by persons for the limited purposes of boarding or deboarding a Cincinnati streetcar vehicle, waiting to board a Cincinnati streetcar vehicle, or purchasing a fare. Designated streetcar transit zones shall be clearly marked and contain readily visible signage indicating "Streetcar Transit Zone" or other similar notification.
  
- (b) Bus Rapid Transit Zones. The Director of the Department of Transportation and Engineering may designate a bus rapid transit station platform located in the public right-of-way as a designated bus rapid transit zone, which area shall be accessible exclusively by persons for the limited purposes of boarding or deboarding a bus rapid transit vehicle, waiting to board a bus rapid transit vehicle, or purchasing a fare. Designated bus rapid transit zones shall be clearly marked and contain readily visible signage indicating "Bus Rapid Transit Zone" or other similar notification.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Additions indicated by underline; Deletions indicated by strikethrough.