

EMERGENCY

City of Cincinnati

CNS

EESW/EEF

-2026

An Ordinance No. _____

MODIFYING the provisions of Title V, "Traffic Code," of the Cincinnati Municipal Code ("CMC") by **ORDAINING** new Chapter 519, "Street Racing, Stunt Driving, and Street Takeover"; **MODIFYING** the provisions of Chapter 759, "Use of a Motor Vehicle to Facilitate a Prostitution or Drug Related Crime," of the CMC by **ORDAINING** new Sections 759-6, "Use of a Motor Vehicle for Street Racing, Stunt Driving, and Street Takeover Prohibited"; 759-6-1, "Impoundment of Motor Vehicles Used to Facilitate Street Racing, Stunt Driving, and Street Takeover"; and 759-6-2, "Answer to Notice; Hearings for Motor Vehicles Impounded for Street Racing, Stunt Driving, and Street Takeover"; and by **AMENDING** Sections 759-1, "Legislative Findings"; 759-5, "Impoundment of Motor Vehicles Used to Facilitate Officer Evasion, Prostitution or Drug Related Crimes"; 759-7, "Answer to Notice; Hearings"; 759-9, "Posting Bond"; 759-11, "Default"; 759-13, "Appeal"; and 759-15, "Sale of Impounded Vehicles"; **MODIFYING** the provisions of Chapter 513, "Impoundment of Motor Vehicles," of the CMC by **AMENDING** Sections 513-1, "Impoundment of Motor Vehicles," and 513-11, "Sale of Impounded Vehicles"; and **MODIFYING** the provisions of Title XV, "Code Compliance and Hearings," of the CMC by **AMENDING** Section 1501-11, "Class E Civil Offenses," all to make participation in street racing, stunt driving, and street takeover a misdemeanor of the first degree; to make the use of a motor vehicle to facilitate the commission of a crime involving street racing, stunt driving, and street takeover a Class E Civil Offense; and to permit police officers to impound vehicles used in the commission of such offenses.

WHEREAS, there have been numerous instances of street racing, stunt driving, and street takeovers throughout the city that obstruct public rights-of-way, interfere with emergency response access, and create substantial risks of injury, death, and property damage to participants, bystanders, residents, and law enforcement personnel; and

WHEREAS, in March 2026, Cincinnati experienced a largescale street takeover event, spanning multiple police districts, requiring activation of the Cincinnati Police Department's Civil Disturbance Response Team, and resulting in dozens of arrests and the towing and impoundment of over sixty vehicles; and

WHEREAS, the City of Cincinnati has a substantial interest in addressing the problems associated with street racing, stunt driving, and street takeover, as these problems affect the safety and quality of life in Cincinnati's neighborhoods; and

WHEREAS, existing penalties have not adequately deterred incidents of street racing, stunt driving, and street takeover; and

WHEREAS, the temporary impoundment and immediate removal of vehicles used in the commission of crimes involving street racing, stunt driving, and street takeover is narrowly tailored to achieve the City's compelling interest in protecting the public safety, health, and welfare, reducing unlawful conduct, and preserving the safe use of public rights-of-way; and

WHEREAS, Council finds that certain vehicle components may be specifically adapted or utilized to facilitate unlawful street racing, stunt driving, or exhibition driving activity, and that forfeiture of such components may reduce the likelihood of continued unlawful use; and

WHEREAS, to protect the public health, safety, and welfare in Cincinnati, Council finds it necessary to provide the City with all appropriate tools necessary to ensure flexibility to combat threats to communities; now, therefore,

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

Section 1. That new Chapter 519, “Street Racing, Stunt Driving, and Street Takeover,” of the Cincinnati Municipal Code (“CMC”) is ordained as follows:

Chapter 519 – STREET RACING, STUNT DRIVING, AND STREET TAKEOVER

Sec. 519-1. – Definitions.

For the purposes of this chapter, the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them unless a different meaning is clearly indicated by the context.

Sec. 519-1-B. – Burnout.

“Burnout” means a maneuver performed while operating a vehicle whereby the vehicle is kept in a stationary position while the wheels of the vehicle are spun, which may cause the tires of the vehicle to become heated and emit smoke from the friction.

Sec. 519-1-D1. – Doughnut.

“Doughnut” means a maneuver performed while operating a vehicle whereby the front or rear of the vehicle is rotated around the opposite set of wheels in a continuous motion, which may cause a circular skid-mark pattern of rubber on the driving surface, or the tires of the vehicle to become heated and emit smoke from the friction, or both.

Sec. 519-1-D2. – Drifting.

“Drifting” means a maneuver performed while operating a vehicle whereby the vehicle is driven in a manner that causes a controlled, sideways skid during a turn, with the front wheels pointing in a direction that is the opposite of the direction of the turn.

Sec. 519-1-I. – Instrumentality.

“Instrumentality” means property otherwise lawful to possess that is used in or intended to be used in an offense. An “instrumentality” may include, but is not limited to, a firearm, a mobile instrumentality, a computer, a computer network, a computer system, computer software, a telecommunications device, money, and any other means of exchange.

Sec. 519-1-S1. – Street Racing.

“Street Racing” means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, wherein timing is made of the participating vehicles involving competitive accelerations or speeds. The operation of two or more vehicles side by side either at speeds in excess of prima facie lawful speeds established by Cincinnati Municipal Code or Ohio Revised Code, as applicable, or rapidly accelerating from a common starting point to a speed in excess of the prima facie lawful speeds shall be prima facie evidence of street racing.

Sec. 519-1-S2. – Street Takeover.

“Street Takeover” means blocking or impeding the regular flow of vehicle or pedestrian traffic on a public road, street, or highway or on private property that is open to the general public for the purpose of street racing or stunt driving.

Sec. 519-1-S3. – Stunt Driving.

“Stunt Driving” means performing or engaging in burnouts, doughnuts, drifting, or wheelies, or allowing a passenger to ride either partially or fully outside of the vehicle while operating that vehicle.

Sec. 519-1-V1. – Vehicle.

“Vehicle” has the same meaning as in Section 501-1-V of the Cincinnati Municipal Code.

Sec. 519-1-V2. – Vehicle Component.

“Vehicle Component” means any motor vehicle part or accessory specifically adapted for use in street racing, stunt driving, or street takeover. “Vehicle Component” includes, but is not limited to, steering wheels, wheels, tires, and mufflers.

Sec. 519-1-W. – Wheelie.

“Wheelie” means a maneuver performed while operating a vehicle whereby the front wheel or wheels of the vehicle are raised off of the ground or whereby two wheels that are on the same side of the vehicle are raised off of the ground.

Sec. 519-3. – Street Racing, Stunt Driving, and Street Takeover Prohibited.

No person shall participate in street racing, stunt driving, or street takeover upon any public road, street or highway, or on private property that is open to the general public. Persons rendering assistance in any manner to street racing, stunt driving, or street takeover shall be equally charged as the participants.

Sec. 519-5. – Penalties.

- (a) Whoever violates this section is guilty of a misdemeanor of the first degree. In addition to any other sanctions imposed, the court shall suspend the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privileges for not less than thirty days or more than three years. No court shall suspend the first thirty days of any suspension of an offender's license, permit, or privilege imposed under this division.
- (b) In addition to any other penalties imposed by law, any vehicle component used in a violation of Section 515-3 as an instrumentality shall be subject to seizure as contraband and is subject to forfeiture under Ohio Revised Code Chapter 2981.

Sec. 519-7. – Exceptions.

This section does not apply to the competitive operation of vehicles on public or private property in accordance with a Special Event permit issued pursuant to the Cincinnati Municipal Code or when otherwise authorized by ordinance of Council.

Section 2. That new Sections 759-6, "Use of a Motor Vehicle for Street Racing, Stunt Driving, and Street Takeover Prohibited"; 759-6-1, "Impoundment of Motor Vehicles Used to Facilitate Street Racing, Stunt Driving, and Street Takeover"; and 759-6-2, "Answer to Notice; Hearings for Motor Vehicles Impounded for Street Racing, Stunt Driving, and Street Takeover," of Chapter 759, "Use of a Motor Vehicle to Facilitate a Prostitution or Drug Related Crime," of the CMC are ordained as follows:

Sec. 759-6. - Use of a Motor Vehicle for Street Racing, Stunt Driving, and Street Takeover Prohibited.

No person shall operate or use or permit another to operate or use a motor vehicle to facilitate the commission or attempted commission of a crime involving street racing, stunt driving, or street takeover pursuant to Ohio Revised Code Chapter 4511. Violation of this section is a Class E Civil Offense as defined by Cincinnati Municipal Code Section 1501-11(b) and a person who violates this section is liable for the civil fine specified in Section 1501-99 for a Class E Civil Offense. If a person has previously been found to have violated this section of the Cincinnati Municipal Code, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for a Class E3 Civil Offense as defined by Cincinnati Municipal Code Section 1501-18.

Sec. 759-6-1. - Impoundment of Motor Vehicles Used to Facilitate Street Racing, Stunt Driving, and Street Takeover.

- (a) Impoundment. In addition to the imposition of a civil fine, a police officer shall impound and cause to be towed any motor vehicle when the officer has probable cause to believe that the motor vehicle was used to facilitate the commission or attempted

commission of a crime involving street racing, stunt driving, or street takeover pursuant to Ohio Revised Code Chapter 4511.

- (1) A motor vehicle used to facilitate the commission or attempted commission of a crime involving street racing, stunt driving, or street takeover pursuant to Ohio Revised Code Chapter 4511 shall be impounded for a period of six months.
 - (2) No vehicle impounded pursuant to this section shall be released upon the posting of bond, deposit of security, payment into escrow, or any other substitute financial assurance unless expressly authorized elsewhere in this chapter. The posting of bond or other security shall not satisfy, suspend, shorten, or otherwise affect the period of impoundment ordered under this chapter. Except as otherwise expressly provided herein, any vehicle impounded pursuant to this chapter shall remain in the custody of the City for the full duration of the impoundment period ordered by the hearing examiner or otherwise required by law.
- (b) Notice. Upon impounding the vehicle, the police officer shall provide by hand delivery to any present owner or person in control of the vehicle notice of the fact of the impoundment, notice of a civil offense and civil fine in accordance with Section 1501-13, and the location of the city impound lot. If the vehicle owner is unavailable to receive such notice, then the police officer or agent of the city police department shall provide notice to all owner(s) of the vehicle at addresses set forth in the vehicle registration within three business days of the date of impoundment. The notice shall include the fact of the impoundment, notice of a civil offense and civil fine in accordance with Section 1501-13, and the location of the city impound lot.
- (c) Exceptions. This section shall not apply and no vehicle shall be impounded or towed pursuant to this section under any of the following circumstances:
- (1) A law enforcement agency seizes the vehicle pursuant to Ohio Revised Code Chapter 2981 or other applicable state forfeiture laws.
 - (2) The vehicle was operating as a common carrier at the time it was subject to impoundment.
 - (3) The vehicle is a rental vehicle from an automobile rental or leasing agency for a term of no more than thirty consecutive calendar days.

Sec. 759-6-2. - Answer to Notice; Hearings for Motor Vehicles Impounded for Street Racing, Stunt Driving, and Street Takeover.

- (a) Answer to Notice.
- (1) A person served with notice of a violation of Section 759-6 may answer the charge in accordance with Section 1501-15 and request a hearing before a hearing examiner in accordance with Section 1501-17; or

- (2) The owner of the vehicle subject to impoundment for violation of Section 759-6 may voluntarily resolve the violation and admit the commission of the offense by making payment of the fine equal to the amount of the fine for the underlying civil offense, plus any and all accumulated towing and processing costs in accordance with Section 513-7, and an additional civil penalty of \$1,250, and secure the immediate release of the impounded vehicle.

(b) Hearings.

- (1) At the hearing, the city shall have the burden to show by a preponderance of the evidence that the vehicle was used in violation of Section 759-6. It shall be an affirmative defense to this charge if the vehicle owner is able to establish by a preponderance of the evidence that the vehicle was stolen at the time of the commission of the offense. For purposes of this chapter, “stolen” shall mean the trespassory taking and carrying away of the tangible personal property of another with the intent to permanently deprive.
- (2) If the hearing examiner finds that the vehicle was subject to impoundment in violation of Section 759-6, then the hearing examiner may enter an order finding the person charged liable to the city for the fine specified in Section 1501-99 for the underlying civil offense, plus any and all accumulated towing and processing costs in accordance with Section 513-7. The vehicle subject to impoundment in violation of Section 759-6 shall be impounded for a period of six months, though the length of impoundment imposed may be decreased during an appeal under this section upon consideration of all relevant circumstances, including but not limited to:
 - (A) whether the violation resulted in injury, property damage, or substantial risk to public safety;
 - (B) whether the violation constituted a first or subsequent offense;
 - (C) whether the registered owner knowingly permitted the vehicle to be used in the violation; and
 - (D) any other factor reasonably related to the interests of justice and public safety.
- (3) If the hearing examiner finds that the city did not meet its burden of proof as set forth in this section, that one of the exceptions of Section 759-6-1(c) applies, or that the vehicle was stolen at the time it was impounded, the vehicle shall be returned to the owner along with any paid costs or fees.

Section 3. That Sections 759-1, “Legislative Findings”; 759-5, “Impoundment of Motor Vehicles Used to Facilitate Officer Evasion, Prostitution or Drug Related Crimes”; 759-7, “Answer to Notice; Hearings”; 759-9, “Posting Bond”; 759-11, “Default”; 759-13, “Appeal”; and 759-15,

“Sale of Impounded Vehicles,” of Chapter 759, “Use of a Motor Vehicle to Facilitate a Prostitution or Drug Related Crime,” of the CMC are amended as follows:

Chapter 759 - USE OF A MOTOR VEHICLE TO FACILITATE ~~OFFICER EVASION;~~ PROSTITUTION; ~~OR—~~DRUG RELATED CRIMES; OR STREET RACING, STUNT DRIVING, AND STREET TAKEOVER

Sec. 759-1. - Legislative Findings.

It is hereby found and determined by the council of the City of Cincinnati that persons who use vehicles or permit another to use a vehicle to facilitate the commission or attempted commission of crimes involving evading a police officer; sexual activity for hire; ~~or~~ the possession, delivery, transportation, purchase, or sale of illegal drugs; or street racing, stunt driving, or street takeover pose a significant threat to the safety of citizens and the quality of life in Cincinnati’s neighborhoods and are a detriment to the public’s health, welfare and safety.

The council also finds and determines that the impoundment of vehicles used in the commission or attempted commission of crimes involving evading a police officer; sexual activity for hire; ~~or~~ the possession, delivery, transportation, purchase, or sale of illegal drugs; or street racing, stunt driving, or street takeover will temporarily remove such vehicles from the streets of the city and reduce the potential for further illicit use. Removal of the resources and instrumentalities of persons who commit or attempt to commit such crimes will have a deterrent effect on this type of criminal behavior, thus contributing to council’s efforts to improve citizens’ safety and the quality of life in Cincinnati’s neighborhoods.

Sec. 759-5. - Impoundment of Motor Vehicles Used to Facilitate Officer Evasion, Prostitution, or Drug Related Crimes.

- (a) In addition to the imposition of a civil fine, a police officer may impound and cause to be towed any motor vehicle when the officer has probable cause to believe that the motor vehicle was used to facilitate the commission or attempted commission of a crime involving failure to comply with the order or signal of a police officer pursuant to Ohio Revised Code § 2921.331; sexual activity for hire pursuant to Ohio Revised Code §§ 2907.21, 2907.22, 2907.23 2907.24, 2907.241 or 2907.25; and/or a crime involving the possession, delivery, transportation, purchase or sale of illegal drugs pursuant to §§ 2925.03, 2925.09, 2925.11, 2925.32 or 2925.37, or pursuant to Cincinnati Municipal Code §§ 601-23 or 910-23.
- (b) Upon impounding the vehicle, the police officer shall provide by hand delivery to any present owner or person in control of the vehicle notice of the fact of the impoundment, notice of a civil offense and civil fine in accordance with § 1501-13, the location of the city impound lot and the right to post a cash bond pursuant to § 759-9.
- (c) If the vehicle owner is unavailable to receive such notice, then the police officer or agent of the city police department shall provide notice to all owner(s) of the vehicle at addresses set forth in the vehicle registration within three business days of the date of impoundment. The notice shall include the fact of the impoundment, notice of a civil offense and civil fine in accordance with § 1501-13, the location of the city impound lot and the right to post a cash bond pursuant to § 759-9.

- (d) This section shall not apply and no vehicle shall be impounded or towed pursuant to this section under any of the following circumstances:
- (1) A law enforcement agency seizes the vehicle pursuant to Ohio Revised Code Chapter 2981 or other applicable state forfeiture laws § 2933.43.
 - (2) The vehicle was operating as a common carrier at the time it was subject to impoundment.
 - (3) The vehicle is a rental vehicle from an automobile rental or leasing agency for a term of no more than thirty consecutive calendar days.

Sec. 759-7. - Answer to Notice; Hearings for Motor Vehicles Used to Facilitate Officer Evasion, Prostitution, or Drug Related Crimes.

(a) Answer to Notice.

- (1) A person served with notice of a violation of § 759-2, § 759-3, or § 759-4 may answer the charge in accordance with § 1501-15 and may request a hearing before a hearing examiner in accordance with § 1501-17; or
- (2) The owner of the vehicle subject to impoundment for violation of § 759-2, § 759-3, or § 759-4 may admit the commission of the offense by payment of the fine equal to the amount of the fine for the underlying civil offense, plus any and all accumulated towing, processing, and storage costs in accordance with § 513-7, and secure the immediate release of the impounded vehicle.

~~(a) The owner of the impounded vehicle may admit that the commission of the offense by payment of the fine equal to the amount of the fine for the underlying civil offense, plus any and all accumulated towing and storage costs in accordance with § 513-7, and secure the immediate release of the impounded vehicle; or~~

(b) Hearings.

~~(b) A person served with notice of a violation of § 759-2, § 759-3, or § 759-4 may answer the charge in accordance with § 1501-15 and may request a hearing before a hearing examiner in accordance with § 1501-17.~~

- (1) At the hearing, the city shall have the burden to show by a preponderance of the evidence that the vehicle was used in violation of § 759-2, § 759-3, or § 759-4. It shall be an affirmative defense to this charge if the vehicle owner is able to establish, by a preponderance of the evidence, that the vehicle was stolen at the time of the commission of the offense. For purposes of this chapter, "stolen" shall mean the trespassory taking and carrying away of the tangible personal property of another with the intent to permanently deprive.
- (2) If the hearing examiner finds that the vehicle was subject to impoundment in violation of § 759-2, § 759-3, or § 759-4, then the hearing examiner may enter an order finding the person charged liable to the city for the fine specified in

§ 1501-99 for the underlying civil offense, plus any and all accumulated towing, processing, and storage costs in accordance with § 513-7.

- (3) If the hearing examiner finds that the city did not meet its burden of proof as set forth in this section, that one of the exceptions of § 759-5(d) applies, or that the vehicle was stolen at the time it was impounded, the vehicle shall be returned to the owner along with any posted cash bond, costs or fees.

Sec. 759-9.- Posting Bond.

The owner of the ~~impounded~~ vehicle subject to impoundment for violation of § 759-2, § 759-3, or § 759-4 may secure release of the vehicle by posting a cash bond equal to the amount of the fine for the underlying civil offense together with all towing, processing, and storage costs in accordance with § 513-7. Upon a finding that the vehicle was subject to impoundment in violation of § 759-2, § 759-3, or § 759-4 or upon an admission of the offense, any amount posted as bond to secure the release of the vehicle will be credited to the amount owed as determined by the hearing examiner in accordance with § 759-7(b). Any vehicle subject to impoundment for violation of § 759-6 is not eligible to be released upon the posting of bond, deposit of security, payment into escrow, or any other substitute financial assurance.

Sec. 759-11. - Default.

If a person served with notice of a violation of § 759-2, § 759-3, ~~or § 759-4,~~ or § 759-6 is deemed to be in default as set forth in § 1501-21, it shall be deemed admitted that the vehicle was subject to impoundment in violation of § 759-2, § 759-3, ~~or § 759-4,~~ or § 759-6 and the fine class specified in § 1501-99 shall be deemed delinquent.

Sec. 759-13. - Appeal.

A person served with notice of a violation of § 759-2, § 759-3, ~~or § 759-4,~~ or § 759-6 has all of the rights and opportunities for appeals of civil offenses as set forth in §§ 1501-23 through 1501-999.

Sec. 759-15. - Sales of Impounded Vehicles.

Vehicles impounded pursuant to this Chapter shall be subject to sale as set forth in § 513-11, provided that the city may not begin proceedings to sell the vehicle when the city is notified by the owner of the impounded vehicle that the violation of § 759-2, § 759-3, ~~or § 759-4,~~ or § 759-6 is under pending appeal.

Section 4. That Sections 513-1, “Impoundment of Motor Vehicles,” and 513-11, “Sale of Impounded Vehicles,” of Chapter 513, “Impoundment of Motor Vehicles,” of the CMC are amended as follows:

Sec. 513-1. - Impoundment of Motor Vehicles.

Any police officer may impound and cause to be towed any motor vehicle:

- (a)
- (1) Which is stolen; or
 - (2) Which is parked in violation of law; or
 - (3) Which is involved in an accident; or
 - (4) Which has been declared delinquent because of two or more outstanding traffic capias or two or more outstanding traffic citations which have not been paid, or a bond posted pursuant to § 513-3 of the Cincinnati Municipal Code and registered for court in accordance with the provisions of § 511-23 of the Cincinnati Municipal Code; or
 - (5) Which has been declared delinquent because of two or more outstanding parking infractions which have not been paid or not had a bond posted pursuant to § 515-9 of the Cincinnati Municipal Code and not been registered for hearing with the Parking Violations Bureau in accordance with the provisions of CMC §§ 515-5 and 515-6; or
 - (6) Which does not display currently valid license plates; or
 - (7) Which is parked so as to block ingress or egress to a street, alley, roadway, driveway, parking facility or loading facility; or
 - (8) Which is in the possession of a physically arrested person; or
 - (9) Which is driven by a person who is under the influence of alcohol or drugs or a combination thereof; or
 - (10) Which is subject to seizure and impoundment pursuant to the provisions of § 909-5; or
 - (11) When the person in possession of a motor vehicle requests it to be impounded for safekeeping; or
 - (12) Which motor vehicle was used in the commission of an offense in violation of Ohio Revised Code § 2921.331, "Failure to Comply with Order or Signal of Police Officer," or
 - (13) Which motor vehicle was used in the commission of an offense in violation of § 729-30; or
 - (14) Which may be impounded as authorized by this chapter, another provision of the Cincinnati Municipal Code, the Ohio Revised Code, or other applicable laws.
- (b) A motor vehicle which is subject to impoundment under items (8) or (9) above shall not be impounded if title or right to possession of the motor vehicle can be readily established at the location where the motor vehicle is initially stopped, by the driver

of the motor vehicle, or the person in possession of the motor vehicle, or the person to whom possession of the motor vehicle is to be given if:

- (1) The motor vehicle can be safely and legally parked at its location; or
 - (2) The driver is able to arrange for someone to take care of the motor vehicle after being given a reasonable opportunity to do so, unless the driver requests that the motor vehicle be impounded for safekeeping after being advised of such driver's rights under (1) and (2) of § 513-1(b).
- (c) In the event that a motor vehicle ordered to be towed pursuant to this section has been reported stolen to the Cincinnati Police Department or constitutes a stolen vehicle to the knowledge of the Cincinnati Police Department at the time that such vehicle is towed, the Cincinnati Police Department shall take appropriate action to have such vehicle towed to an impound facility owned or controlled by the City of Cincinnati. For purposes of this chapter, a vehicle will be found to constitute "a stolen vehicle to the knowledge of the Cincinnati Police Department" if the Cincinnati Police Department has received written or verbal notice regarding the theft of the vehicle from a law enforcement agency at the time that the vehicle is towed pursuant to an order issued by the Cincinnati Police Department. The Cincinnati Police Department shall be deemed to have such notice of the vehicle's stolen status if the vehicle's owner reported the vehicle stolen in another law enforcement jurisdiction and that jurisdiction provided the report or status update to the Cincinnati Police Department in a manner reasonably calculated to have provided such information to the Cincinnati Police Department administration at the time that the vehicle in question was towed.

Sec. 513-11. - Sales of Impounded Vehicles.

Whenever any vehicle which has been impounded by a police officer remains in the possession of the city, unclaimed by any person having the right to possession of such vehicle, for a period of 20 days after notice of impoundment, such vehicle shall be sold under the direction of the chief of police at public auction to the highest bidder, after a notice of such auction has been given by advertisement published three times in the City Bulletin or in a newspaper of general circulation within the city of Cincinnati, or otherwise disposed of to a junk yard or other appropriate facility in accordance with the provisions of ~~Section 4513.62 of the Ohio Revised Code~~ Chapter 4513 pertaining to disposal of unclaimed vehicles ordered into storage. For a vehicle subject to impoundment in violation of § 759-6, the notice period is tolled during the period of required impoundment.

At least 15 days prior to such sale, a notice shall be mailed by Certified Mail, Return Receipt Requested, to the owner of such motor vehicle, if ascertainable, and to all mortgage and lien holders of record, advising them of their rights to claim the vehicle upon payment of all towing, storage and impounding fees, and in addition thereto, the costs of any services performed by the city in order to properly maintain the impounded vehicle.

In addition to junk yards, scrap metal processors who can guarantee that a junk motor vehicle will never again appear back upon the city streets are hereby determined to be a proper facility relating to the disposition of junk motor vehicles as required by ~~Section 4513.62 of the Ohio Revised Code~~ Chapter 4513 pertaining to disposal of unclaimed vehicles ordered into storage.

Section 5. That Section 1501-11, "Class E Civil Offenses," of Title XV, "Code Compliance and Hearings," of the CMC is amended as follows:

Sec. 1501-11. - Class E Civil Offenses.

A person who violates a standard of conduct set forth in a provision of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class E Civil Offense. If the provision is listed under paragraph (a) below, the otherwise applicable civil fine is reduced by 50% if the person charged shows in accordance with § 1501-15 that the violation has been corrected. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in § 1501-99 and is not subject to reduction for correction of the violation.

(a) Class E Civil Offenses With Civil Fines Subject to 50% Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 883-3	Public Assembly Permit	See § 883-23
(2)	§ 883-21	Prohibitions	See § 883-23
(3)	§ 1247-15	Material Safety Data Sheets	Class E
(4)	§ 1247-17	Location of Toxic or Hazardous Substance	Class E
(5)	§ 1113-03	Prohibitions of Certain Excavations, Fills or Grades	Class E

(b) Class E Civil Offenses With Civil Fines Not Subject to 50% Reduction for Correction of Violation:

			Civil Fine for Subsequent Offense
(1)	§ 703-1	Blasting Unlawful Without Permit	Class E
(2)	§ 729-30	Dumping	Class E
(3)		Reserved	

			Civil Fine for Subsequent Offense
(4)	§ 881-19	Prohibitions	Class E
(5)	§ 1247-9	Labeling of Toxic and Hazardous Substances	Class E
(6)	§ 1247-27	Falsification of Information	Class E
(7)	§ 759-3	Use of a Motor Vehicle for Prostitution or Solicitation Prohibited	Class E3
(8)	§ 701-50	Nuisance, Dangerous, and Vicious Dogs	Class E
(9)	<u>§ 759-6</u>	<u>Use of a Motor Vehicle for Street Racing, Stunt Driving, and Street Takeovers Prohibited</u>	<u>Class E3</u>

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to ensure the safety and welfare of the residents of Cincinnati.

Passed: _____, 2026

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.