

CITY OF HUBBARD, OHIO
RECORD OF ORDINANCES AND RESOLUTIONS

GOVERNMENT FORMS AND SUPPLIES E2202235KV

RESOLUTION NO.
ORDINANCE NO. 21-23.....

PASSED Jan 16..... 2024.....

AN ORDINANCE

RESTRICTING THE USE OF LASER POINTERS WITHIN THE CITY OF HUBBARD,
OHIO PER THE RECOMMENDATIONS OF THE YOUNGSTOWN AIR RESERVE
JOINT LAND USE STUDY.

WHEREAS, the City of Hubbard, Ohio supports the continued operation of the
Youngstown Air Reserve Station; and

WHEREAS, the City of Hubbard desires to restrict the use of laser pointers within
the City of Hubbard:

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hubbard, Trumbull
County, Ohio:

Restrictions on the use of a Laser Pointer

- A. Purpose and Intent.** The intent of this Ordinance is to establish restrictions and limitations relative to the use of a laser within the City of Hubbard to promote the public health, safety, and welfare and reduce risks to public safety created by improper laser usage.
- B. Applicability.** These regulations apply to the use and operation of a laser pointer as herein defined within the City of Hubbard.
- C. Laser Pointer Use Restrictions.** A person is guilty of unlawful discharge of a laser if they knowingly and maliciously discharge a laser in the following manner:
1. At a pilot of an aircraft, causing an impairment to the safe operation of an aircraft or causing interruption or impairment of service rendered to the public by negatively affecting the pilot; or
 2. At a law enforcement officer or other employee of a law enforcement agency who is performing their official duties in uniform or exhibiting evidence of his or her authority, and in a manner that would support that officer's or employee's reasonable belief that they are being targeted with a laser sighting device or system; or
 3. At a law enforcement officer or other employee of a law enforcement agency who is performing their official duties, causing an impairment of the safety or operation of a law enforcement vehicle, or causing an interruption or impairment of services rendered to the public by negatively affecting the officer or employee; or

4. At a firefighter or other employee of the fire department or other public safety agency who is performing their official duties, causing an impairment of the safety or operation of an emergency vehicle, or causing an interruption or impairment of service rendered to the public by negatively affecting the firefighter or employee; or
5. At a transit operator or driver of a public or private transit company while that person is performing their official duties, causing an impairment of the safety or operation of a transit vehicle, or causing an interruption or impairment of service rendered to the public by negatively affecting the operator or driver; or
6. At a school bus driver employed by a school district or private company while the driver is performing their official duties, causing impairment of the safety or operation of a school bus, or causing an interruption or impairment of service by negatively affecting the bus driver; or
7. At a person who is operating a motor vehicle at the time, causing an impairment of the safety and operation a motor vehicle by negatively affecting the driver; or
8. At a person to intimidate or threaten that person.
9. No student shall possess a laser pointer on any elementary or secondary school premises unless possession of a laser pointer on the elementary or secondary school premises is for a valid instructional or other school-related purpose, including employment.

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D. Exemptions. This section does not apply to the conduct of laser development activity by or on behalf of the United States Armed Forces.

E. Penalty. Any person found to have willfully and maliciously discharged a laser in violation of this section, shall be punishable as either as a misdemeanor or by imprisonment in the county jail for not more than one year or by a fine of one thousand dollars (\$1,000), or a felony by imprisonment in the state prison for 16 months, two years, or three years, or by a fine of two thousand dollars (\$2,000).

DEFINITIONS

Aircraft means a device that is used, or intended to be used, for flight.

Laser means a device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum, and when discharged exceeds one milliwatt continuous wave.

Laser Pointer means any handheld laser beam device or demonstration laser product that emits a single point of light amplified by the stimulated emission of radiation that is visible to the human eye.

Laser Scope means a portable battery-powered device capable of being attached to a firearm and capable of projecting a laser light on objects at a distance.

SECTION 1: All prior Ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

SECTION 2: All formal actions of the City Council of Hubbard, Ohio relating to the adoption of this Ordinance, and all deliberations of the City Council of Hubbard, Ohio and any of its committees leading to such action, were in meetings open to the public as required by law.

PASSED IN COUNCIL THIS 16TH DAY OF JANUARY, 2023.

William Williams
PRESIDENT OF COUNCIL

ATTEST:
Janie Brown
CLERK OF COUNCIL

APPROVED:
James A. Kyle
MAYOR

APPROVAL DATE: 1-16-2024

FIRST READING: Dec 18, 2023

SECOND READING: JAN 2, 2024

THIRD READING: Jan 16, 2024

I hereby certify that the foregoing Ordinance was published in The News of Hubbard on the dates hereinbelow set forth and was posted at the Hubbard City Municipal Building and the Hubbard Police Department on the day hereinbelow set forth.

DATES OF PUBLICATION:

____ day of _____, 2023

____ day of _____, 2023

____ day of _____, 2023

POSTED:

17TH day of JANUARY, 2023