**ORD.**

**Enacting a new Section 521.12 of the Toledo Municipal Code. “Impeding Access to Health Care”.**

SUMMARY & BACKGROUND:

Toledo City Council recognizes that access to health care facilities for the purpose of obtaining medical counseling and treatment is imperative for the citizens of this city; and that preventing the willful obstruction of a person’s access to medical counseling and treatment at a health care facility is a matter of public health, safety and welfare. City Council, therefore, declares that it is appropriate to enact legislation that prohibits a person from taking certain actions to knowingly obstruct or impede another person’s entry to or exit from a health care facility. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1: That a new Section 521.12 of the Toledo Municipal Code is hereby adopted which states as follows:

521.12 Impeding Access to Health Care

(a) As used in this section:

(1) “Health Care Facility” means a hospital, clinic, ambulatory surgical treatment center, other center, medical school, office of a physician, infirmary, dispensary, medical training institution, or other institution or location in or at which medical care, treatment, or diagnosis is provided to a person.

(2) “Reproductive Health Care Facility” means a health care facility at which licensed, certified, or otherwise legally authorized persons provide health care services, health care counseling relating to the human reproductive system or family planning services.

(3) “Premises” means any land, building, structure, parking lot, driveway or place belonging to, controlled by, or in custody of another, and any separate enclosure or room, or portion thereof.

(b) No person shall knowingly do any of the following:

(1) Physically obstruct or block another person from entering into or exiting from the premises of a Health Care Facility or Reproductive Health Care Facility by physically striking, shoving, restraining, grabbing, or otherwise subjecting the person to unwanted physical contact, or attempt or threaten to do the same;

(2) Obstruct or block the premises of a Health Care Facility or Reproductive Health Care Facility, so as to impede access to or from the facility, attempt to do the same, or block the driveway as set forth in section 351.07(24) of Toledo Municipal Code.

(3) Engage in disorderly conduct as set forth in section 509.03 of Toledo Municipal Code within twenty feet of the premises of a Health Care Facility or Reproductive Health Care Facility;

(4) Engage in a course of conduct or repeatedly commit acts within twenty feet of the premises of a Health Care Facility or Reproductive Health Care Facility when that behavior places another person in reasonable fear of physical harm, or attempt to do the same;

(c) Whoever violates this section is guilty of impeding access to health care, a misdemeanor of the first degree.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_: yeas \_\_\_\_\_\_, nays \_\_\_\_\_\_.

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

Clerk of Council President of Council

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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

Clerk of Council