

ORDINANCE NO.: 2021-107

INTRODUCED BY: Councilwoman Edwina Agee

MOTION FOR ADOPTION BY:

AN ORDINANCE ENACTING NEW SECTION 680.01(a)(7) DEFINING CERTAIN VEHICLE STANDING AND PARKING PROHIBITIONS AS NUISANCES AND NEW SECTION 680.08(c) PROVIDING PROCEDURES TO ABATE SUCH STANDING AND PARKING NUISANCES AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Council have found that there has been a significant increase in vehicles standing and parking in prohibited places throughout the City, including on sidewalks, tree lawns, in front of driveways, and on areas of residential property other than driveways; and

WHEREAS, Sections 452.03(a), (b), (u) and (v) of the Codified Ordinances prohibit such standing and parking of vehicles and is enforced by the Police Department; and

WHEREAS, the Mayor and Council desire to make such prohibited standing and parking of vehicles a nuisance and enforceable under Cod. Ord. Chapter 680-Nuisance Abatement by the Mayor and other designated administrative personnel, in addition to the Police Department, so as to allow the Police Department to concentrate on enforcing the general offenses provisions of the Codified Ordinances and the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

Section 1. The following new **Section 680.01(a)(7)** is hereby enacted as part of the City's Codified Ordinances, to read as follows:

“(7) Any vehicle standing or parking on places prohibited by **Section 452.03(a), (b), (u), or (v)**, including standing or parking of a vehicle on a sidewalk, in front of a private driveway, between the sidewalk and roadway, or upon any part of a private lot or land in the City other than a driveway.”

Section 2. The following new **Section 680.08(c)** is hereby enacted as part of the City's Codified Ordinances, to read as follows:

“(c) If the Mayor or designee finds the existence of a Nuisance as defined by **Section 680.01(a)(7)**, the Mayor or designee shall determine what reasonable actions are necessary to abate such nuisance including, but not limited to, towing a vehicle parked in a prohibited place.”

Section 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of newly enacted **Sections 680.01(a)(7) and 680.08(c)** in the current print and electronic editions of the City's Codified Ordinances.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary to eliminate ongoing nuisance activity, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2021

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

I, Leonette Cicirella Johnson, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council