

FIRST READING – January 25, 2011  
SECOND READING – February 8, 2011  
THIRD READING – February 22, 2011

COUNCIL NO. 004  
SPONSOR: Ordinance  
ORDINANCE NO. 11-11

AN ORDINANCE ESTABLISHING SECTION 1395.24 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, REGARDING PERMITTING PUBLIC NUISANCE.

**WHEREAS**, the residents of the City of Sheffield Lake have been adversely affected by criminal activity that occurs repeatedly at, or originating from, certain residential or commercial properties in the City; and,

**WHEREAS**, repeated violations of law stemming from a single property place an undue burden on the City’s safety resources, and therefore, an undue burden on the taxpayers; and although most property owners take responsibility for activities on their property, some property owners fail to take aggressive action, or any action at all, to deal with such nuisance activities by people whom they have allowed to live at, or visit, or conduct business at their property; and,

**WHEREAS**, such repeated criminal activities greatly interfere with the comfortable enjoyment of life and property of the neighborhood, and lead to the deterioration of neighborhoods and the City as a whole, as responsible property owners lose property value and move out of neighborhoods and/or the City where such activity recurs; and,

**WHEREAS**, the City of Sheffield Lake has by ordinance declared and listed a number of activities and conditions as nuisances, and has set forth administrative steps in order to identify the properties that allow nuisances activities to occur and to allow the City to recoup the cost of City services rendered; and,

**WHEREAS**, this council sees it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that changes need to be made to the existing Criminal Ordinance to ensure the enforceability of this provision.

**NOW THEREFORE**, be it ordained by the Council of the City of Sheffield Lake, County of Lorain, State of Ohio:

Section 1. Codified Ordinance 1395.24

- (a) No owner, owner's agent, owner's lessee, occupant, invitee, or person or entity in charge of residential or commercial property (including individual apartment or condo units) shall permit any public nuisance activity to occur at said residential or commercial property.
- (b) The following activities are hereby declared to be public nuisance activities:
  - (1) Any animal Violations (dogs running at large, biting, excrement, dangerous or vicious animals, cruelty, killing or injuring of animals).
  - (2) Any disorderly conduct, disturbance of the peace
  - (3) Any drug abuse violation
  - (4) Any noise violation
  - (5) Any gambling violation
  - (6) Any health, safety, or sanitation violation
  - (7) Any littering or deposition of waste violation
  - (8) Any obstruction of official business violation
  - (9) Any alcohol violations
  - (10) Any sex offenses (public indecency, procuring, soliciting or prostitution)
  - (11) Any offenses against persons (domestic abuse)
  - (12) Any offenses against property (criminal damaging, endangering or mischief)
  - (13) Any theft violation (petty theft, unauthorized use of property)
  - (14) Any weapons, explosives, firearm or handgun violation
  - (15) Any firework violations
  - (16) Any offense that is a felony under the Ohio Revised Code
- (c) For purposes of subsection (a), the occurrences of a nuisance activity means either a citation has been issued, or arrest has been made, or a City Department, including but not limited to, Police, Fire, Animal Control, Service or Building has documented three (3) or more occurrences of nuisance activity in lieu of arrest or citation within a one year period.
- (d) Notwithstanding the provisions of 1395.99, whoever violates or fails to comply with the provisions of this section shall be guilty of a

Fourth Degree Misdemeanor and shall be fined not more than \$250.00 and/or incarcerated for a term of not more than 30 days.

Section 2. 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 of this Council, and that all deliberations of the Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

	Yea	Nay	NV
Dennis Bring	_____	_____	_____
Leanna Stark	_____	_____	_____
Diane Huska	_____	_____	_____
Steve Kovach	_____	_____	_____
Rick Rosso	_____	_____	_____
Alan Smith	_____	_____	_____
Eric Elliott	_____	_____	_____

\_\_\_\_\_  
MAYOR  
*John J. Piskura*

\_\_\_\_\_  
PRESIDENT OF COUNCIL  
*Edward R. Podmanik*

*and/or*

\_\_\_\_\_  
PRESIDENT PRO TEM  
*Richard Rosso*

\_\_\_\_\_  
CLERK OF COUNCIL  
*Kay Fantauzzi*

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of Ordinance#\_\_\_\_\_. PASSED \_\_\_\_\_, 2011.