

FIRST READING – November 15, 2011
SECOND READING – November 29, 2011
THIRD READING – December 13, 2011

COUNCIL NO. 057
SPONSOR: Ordinance Committee
ORDINANCE NO. 58-11

AN ORDINANCE ESTABLISHING CHAPTER 910 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING STREETLAWNS AND TREELAWNS.

WHEREAS, questions have arisen as to the rights and responsibilities of abutting property owners in regard to streetlawns and treelawns in the City of Sheffield Lake; and,

WHEREAS, it is in the best interest of the City of Sheffield Lake, Ohio to clarify the rights and responsibilities of abutting property owners in regard to streetlawns and treelawns in the City of Sheffield Lake.

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

Section 1. Codified Ordinance 910 is hereby established as follows:

910 STREETLAWNS AND TREELAWNS.

910.01 Treelawns Generally

- (a) For purposes of this section, “Streetlawn” and “Treelawn” shall have the same meaning and shall be mutually referred to as “Treelawn.”
- (b) It shall be the responsibility of any abutting property owner, grantee, occupant, or lessee of real estate in the City to maintain the unpaved portion of the road right of way commonly referred to as a streetlawn or treelawn which abuts any paved portions of a City street.
- (c) Maintenance of Treelawns shall include, but not be limited to grass cutting as provided at section of 1395.07(b) (1)(B) of this code.
- (d) The City of Sheffield Lake shall have the right to enter upon streetlawns or treelawns for the purpose of maintenance of the street, utilities, and/or regulation of traffic.

- (e) No walk shall be installed in the right-of-way from the curb to an existing sidewalk unless it is an authorized sidewalk, as approved by the service director.
- (f) All areas in the right-of-way not covered by an authorized sidewalk or drive apron shall be covered by grass, as approved by the Service Director. Exceptions and approvals to this section shall be limited to the following:
 - (1) Street trees shall be allowed to be planted and maintained in treelawns only as they may be approved by the Forester.
 - (2) Sprinkler heads within the City treelawn shall be permitted along the edge of the sidewalk as authorized by the service director.
 - (3) Mailbox posts shall conform to the standards established by the Ohio Department of Transportation Manual of Uniform Traffic Control Devices (ODOT MUTCD) Section 803.11 Mailbox Supports, shall be limited to 4"x4" wood posts or two (2) inch diameter steel pipes, and shall not be require permit approval for installation.

910.99 Penalty

In addition to any other penalty provided in this Code, Whosoever that is found to be in violation of any provision of this Chapter shall be guilty of a minor misdemeanor. Each day a violation continues shall constitute a separate offense.

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 will 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

COUNCIL 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.