

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
June 4, 2019

This regular meeting of the Ordinance Committee was held Tuesday, June 4, 2019. Chairperson Gee called the meeting to order at 7:24 PM.

ROLL CALL OF MEMBERS:

Present: Gee, Radeff, Erdei, Mayor Bring, Superintendent Hastings, Law Director Graves

Attending: Concerned Citizen

MINUTES: April 2, 2019, *Motion by Erdei/Second by Radeff to accept the minutes with any corrections. Law Director Graves stated correction under my comments, in his statement of here is how it goes, Ohio code is for residential and later I say both those codes and what it should read is Ohio Building Code is for commercial/Residential code of Ohio is for residential and I believe that is what I said. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS:

Gravel Driveway extensions – Chairperson Gee advised I have seen some added gravel to some. That was kind of a nice thing to see and some people have already started to bring them up to a nicer look.

International Building Code – Chairperson Gee advised it is already at Worksession.

NEW BUSINESS:

Pets – Chairperson Gee advised 505.20 is attached. Councilman Radeff asked for clarification, 4 total for cats and dogs. He was advised four of each so it is eight total. Do we have any limit on the amount of animals you can have? Law Director Graves advised I don't think so, just four dogs and four cats exempting litters under six months old. Chairperson Gee noted it says or. So, four dogs or four cats. I do notice under section 3 an emergency clause and considering it is that time of year where a lot people seem to bring home a lot more extra animals that we might want to consider when this goes to Council using that emergency clause. That is just my recommendation. After a brief discussion, *Motion by Erdei/Second by Radeff to send to Council, 505.20 number of cats and dogs restricted. Yeas All.

903.06 sidewalk escrow – Chairperson Gee advised Mr. Hastings was going to look into what would be a better price and advise us. Superintendent Hastings answered I believe it is in the range of \$6 to \$6.50 per square, that is subject to change though. Chairperson Gee clarified but we need a figure in the ordinance though? Superintendent Hastings answered yes but it will have to be revisited. You know, I would say every two to three years. Law Director Graves advised I think that it is a

good idea to set it in an appropriate range to cover our cost. It does say that in the event that the amount escrowed is enough to cover the cost that the homeowner remains responsible before that. But, practical matter, that might be difficult to enforce if they have moved away and then you would be trying to find them or trying to potentially go after the new homeowner who probably doesn't have any idea of what this is all about. So, setting it at a reasonable rate then just revisiting it periodically is a good idea. Law Director Graves stated I would need a dollar amount to draw it up. Mayor Bring answered \$6.50. Superintendent Hastings advised \$6.00 was to finish as far as you pull the forms and you have that void. So, \$6.50 is getting some soil back in and a more manicured look. I would think the city would be smart to do \$6.50 so that it is a complete job. Chairperson Gee asked so you will have that drawn up for our next Ordinance meeting? Law Director Graves answered yes, no problem.

Limits on poultry within city limits – Chairperson Gee advised the poultry business is getting out of hand in the city. I understand that we do have under our nuisance law, the Law Director said that roosters do fall under the nuisance law but once again, just like the dog ordinance, it is hard for our Police Officers or our residents to find it easily. So, when we do this poultry ordinance, I think we need consideration of stating no roosters in it as roosters are not needed to produce eggs. So, it is not like we want people breeding chickens in our city. Now, I did some research on this, twenty adult chickens produce about a ton of manure per year. Thus, an acre of grass sod absorbs up to output of 80 chickens. Okay, nobody has an acre of land in Sheffield Lake and after doing more research, four chickens that free range, you only need a coup and a run area that measures 4 X 4 feet and 16 square feet but it always is best to give them as much space as possible. For chickens, it will be inside the run at all times which is Sheffield Lake, they can't be running loose on our streets. So, they are confined in their cage at all times. You need to bump that up to 10 square feet per bird. She advised with that being said and the Ohio State University's ruling on good farm practices for chickens, I really think that we need to consider putting a limit of no more than four but some yards do not even have the room for four chickens. So, how are we going to address that? Member Radeff asked how big of an issue is this, is it a big issue right now? Mayor Bring advised it is getting more and more prevalent obviously and I just think that putting some type of number would be a good idea because with anything, people are just going to start going crazy on it. If you drive around, you are seeing more and more people with chickens. I really don't have a problem with that even though we are a city. But they can't take of lawns or their own trash. So, if they start doing this thing with chickens then we need to make sure that they are properly taken care of. If they are running around yards then it could cause waste and the neighbors issue of smell. I think we have to take everybody's consideration into it because we are a city. Chairperson Gee advised I don't think Mr. Radeff was aware of the situation with the turkeys, geese, chickens in his ward. After a brief discussion, Law Director Graves advised I

think it is reasonable. He advised of the amendment to noise as roosters are unreasonable for that and also, for the chickens cannot create any noxious odors, they have to be properly maintained in adequate facilities. Another issue that comes up is when they start building these structures and enclose, are they accessory buildings. So, is it a zoning violation because you are only allowed 2 accessory structures per number of square feet. There was a brief discussion on options and resolutions to the code which Law Director Graves recommended that we clarify this issue, we either exempt them or in that case we would need a variance from the Zoning Board of Appeals to have additional accessory structures. I think when you exempt them it would have to be specific to the size, no more than four birds and no more than 1 coop or whatever or other housing structure and no larger than such. Or choose to make it as an additional factor for an additional shed. Chairperson Gee advised well, the Ohio State University refers for back yard chicken rulings that you need 10 square feet per bird if they are being kept or caged up. So, four birds is a pretty good size area. People are starting to advertise free chickens and Sheffield Lake residents are grabbing them. Mayor Bring stated I don't really have a problem with that as long as everything is well kept and we have an ability in ordinance to go after someone that is not maintaining it. I think that is what we need. I mean we have a couple of people that have pigs and goats now too. I know we have an ordinance that says no hooved animals. Law Director Graves concurred right, you can't have them out in the yard, you can't barn yard animals. What they are doing is keeping them in the house as pets. Chairperson Gee asked are we all in agreement to have the Law Director draw up an ordinance for our next Ordinance meeting? Committee agree. Law Director Graves clarified for legislation, it will be proposed ordinance restricting the number of chickens to no more than four, prohibiting roosters and do you want to address the coups/adequate housing? Chairperson Gee answered we need to for sanitary reasons/all health reasons for the safety of the birds and safety of our neighboring residents. Law Director Graves proposed one of a certain size and I guess we could check what the usual and customary size would be and do you want to exempt that from the definition of accessory buildings or do you want that included as one of their accessory buildings? Member Radeff stated so now, you can have 4 dogs, 4 cats and 4 chickens or are we going to have a restriction on how many animals you have? You know people can get ferret's and birds and things like that. I just assumed that we said that chickens are livestock and you can't have livestock in Sheffield Lake. Law Director Graves stated fowl has a different definition than livestock which are hooved animals; horses, cows, sheep, goats, pigs and fowl are treated a little differently. We have nothing on the books specifically prohibiting fowl right now. We just address it by the secondary effects of it. Mayor Bring mentioned back in the 70's I know there was 2 people that had pigeons and coops and they were flying all over everybody and they were having heart attacks because they were flying all over and doing their business on cars and such. Chairperson Gee advised in this ordinance I would prefer if we didn't use the word chicken because

somebody is going to have turkeys and they will say well, they are not chickens. Somebody is going to have geese and say well, they are not chickens. We have to determine a word that includes all of those to only 4. Member Erdei clarified on the building part, you said 1 chicken per 10 square feet. Law Director Graves stated not more then 1 coup of 40 square feet. He advised I will think about the language but something like 4 birds commonly in the poultry or fowl family or something like that. In other words, you don't want 4 chickens, 4 ducks, 4 turkeys, etc. Chairperson Gee advised we don't someone to bring in 4 peacocks. Chairperson Gee stated are we all in agreement that the Law Director will draw up something pertaining to feathered friends. *Motion by Erdei/Second by Radeff for the Law Director to draw up legislation for the next Ordinance meeting for the amount of fowl that people are allowed to have in their back yards to include the size of the building that they can have with it. Yeas All.

Law Director Graves advised I know that we did touch on this in the Worksession but we will be bringing something in the very near future revising our point of sale ordinance. I had anticipated bringing it to this committee first. This is another one like the kennels where there is a lot of different ordinances that work together, as far as the occupancy permits and the buyer and the seller. So, it is going to clean all that up and at the end of the day, the language is going to be very similar to what we ended up doing with the rental permits. It would not require the interior inspections but we would be able to get an administrative warrant if we have reason to believe that there are code violations inside. We will and we are continuing to do point of sale inspections for exterior only, especially in regard to sidewalks.

Chairperson Gee advised we have a new Clerk of Committees now, so we are going to help with no sidebar discussions and over talking each other. Thank You.

CITIZENS COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME: None.

MEETING ADJOURNED: With no further business before this committee, *Motion by Erdei/Second by Radeff to adjourn at 7:47 pm. Yeas All.

CLERK OF COMMITTEE AFFIRMATION:

This Meeting of the City Committee of the City of Sheffield Lake, Ohio, was and conducted under all Rules and Regulations Governing the Sunshine Laws of the State of Ohio as they may apply. All meetings are recorded and available in Council's Office.

CLERK OF COUNCIL/COMMITTEES

Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake DO HEREBY CERTIFY that this Is a true and exact copy of the Minutes of the

Ordinance Committee of June 4, 2019.

CHAIRPERSON

Rosa Gee

COUNCIL PRESIDENT

Rick Rosso