

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
October 1, 2019

This regular meeting of the Ordinance Committee was held Tuesday, October 1, 2019. Chairperson Gee called the meeting to order at 7:10 PM.

ROLL CALL OF MEMBERS:

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

Absent: None

Attending: None

MINUTES: September 3, 2019, *Motion by Erdei/Second by Radeff to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: **None.**

OLD BUSINESS: None.

NEW BUSINESS: Chairwoman Gee asks Mr. Graves have you had time to review 505.08 and 505.09 and could we have your opinion on adding the extra little bit? Law Director Graves replies it would certainly be within the authority of council to enhance the penalty for both animal noise and nuisance conditions. If you make it enhance able to the point where you would lose the privilege of owning or harboring said animals; you need to be careful when talking about depriving someone of their property. You must make sure their due process rights are protected. If someone violates this and the city says you no longer have the right to own birds, or you forfeit the privilege of having them, I don't think we will actually get into going out and seizing the birds. We need some additional language. Like where they will be fined a certain dollar amount everyday if they would continue to own birds after the city has determined they no longer have the right to own them. There should be some kind of appeal process as well. Chairwoman gee states I know the State of Ohio makes it clear that it is not a right to own, but a privilege. Wouldn't that protect the city? Law Director Graves replies I don't know if the correct terminology would be protect the city. The city is protected. If you want to enhance the degree of penalty, there is no problem there. I'm saying when you declare that someone has forfeited the privilege of harboring animals, you can do it, but you would need additional language. Chairwoman Gee asks isn't this similar to when we had rental properties becoming a problem/ nuisance? Law Director Graves replies yeah, they got charged with permitting a public nuisance. We didn't tell them they no longer had the right to own rental property. If council feels this is the direction they want to go, then I have no trouble attempting to enforce it. Member Radeff states I do not like that. I think it is already a nuisance. If you go through the judge and he tells them to abate the nuisance, then they abate it. I don't think the city should get in the process of

taking away property, etc. It should be put on the court. Chairwoman Gee asks then how is the woman on Dunny still getting away with it if we have these already on the books? Law Director Graves replies she has been charged; she has been in court; due process takes a while. Mayor Bring states now that we have something on the books, let's just play it out for a little while. We haven't been getting any complaints lately. Chairwoman Gee states we will remove these from the agenda. Now, Sheffield Lake code of ordinances chapter 1357. Law Director Graves recites the code. What is happening now is people are parking on the side of their houses and created a kind of nuisance. Councilwoman Gee asks doesn't 1357.03 cover that? Law Director Graves replies that code states that in no event shall a motor vehicle, boat or recreational vehicle shall be parked in the front yard. Chairwoman Gee asks so do you want to modify it to include side yards or side yards and rear yards? Law Director Graves replies the original proposed changes were good. It did not prohibit parking in side or rear yards, but just that it had to be on a driveway that meets all the other code requirements. The only prohibition right now; is you cannot park a motor vehicle, boat or RV unless it is in your front yard on a driveway. You can put it on the side of the rear, in the grass, which is what people are doing. Superintendent Hastings asks can you pour a driveway up to the property line? Chairwoman Gee replies yes. Law Director Graves states there will always be a debate about how you define a motor vehicle, etc. Mayor Bring states it is happening more often this year. This last boating season has been bad, and we have had a lot of contractors in the city and they are parking their trailers all over the place. Chairwoman Gee states maybe we can get some feedback from council on this before proceeding. Law Director Graves states for clarification, in 1357.02, it says driveways and driveway additions shall not be considered structures for the purpose of calculating required residential side and rear yard setbacks. They are calculated as part of overall lot percentage coverage. Chairwoman Gee states this will remain on the agenda for now.

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 7:42 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
Brandy Randolph

I, Brandy Randolph, 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 October 1, 2019.

CHAIRPERSON
Rosa Gee

COUNCIL PRESIDENT
Rick Rosso

