

Minutes of the Ordinance Committee meeting
Sheffield Lake, Ohio
April 6, 2021

This regular meeting of the Ordinance Committee was held Tuesday, April 6, 2021. Chairperson Radeff called the meeting to order at 7:38 PM.

ROLL CALL OF MEMBERS:

Present: Radeff, Wtulich, Mayor Bring, Law Director Graves.

Excused: Cizl, Superintendent Hastings.

Attending: None

MINUTES: February 2, 2021 *Motion by Wtulich/Second by Radeff to accept the minutes with any corrections. Yeas All.

PRESENTATIONS: None.

OLD BUSINESS: None.

NEW BUSINESS: Law Director Graves states a few years ago, the City of Sheffield Lake went to a totally objective standard in our noise ordinance related to decibel readings. It is good in that you have a clear, definable standard that is easily proven. The problem is that it doesn't include enough. There are times, especially late at night when there is a noise disturbance that is most likely unreasonable given the time of day and the duration or level. It may not reach the level of the decibel standard. Looking at noise disturbance standards in various other communities, most have a rather subjective standard that would be a question of fact for either a judge or jury. If it is noise that is unreasonable, in light of the circumstances, a person of ordinary sensibilities, etc. I have talked to the police chief and there is an agreement that the city should probably move in that direction to address some of these other noise disturbances. Chairman Radeff states in my opinion, I like the objective idea. I like to have an idea of what the limit is. My thought would be maybe have (inaudible) and have the decibels start to decrease after certain hours. Member Wtulich asks so you are saying lower the decibels? Chairman Radeff says maybe like after 7 o'clock or whatever. Mayor Bring says it has to be reasonable. It has to be reasonable for the officer who goes over there. If he goes and thinks it's overly loud, etc. I think they have to use common sense too. We don't want this to turn into a neighbor thing and they find out we have a new ordinance, and they start calling it's too loud. This is for a little more privacy. I would direct the police to use common sense and possibly use the decibel thing. If they go back multiple times, they usually give a ticket around the third time. Chairman Radeff asks if they go there and it doesn't meet the decibels, could you still look at it as maybe a disturbing the peace or disorderly conduct? Law Director Graves replies I don't think so. I think when we went to the objective standard, we defined noise disturbance as exceeding those decibel readings. The police right now are pretty much bound by that decibel

reading. I don't know what decibel reading would be appropriate at night, but clearly, we need something. Applying that at late hours may not be workable. There are also situations where perhaps it's not loud enough to register above the decibel reading, but say it goes on all day. We had various allegations where someone would turn on the radio and then leave. It would be on for hours playing loud and sometimes offensive music. The police have to say well, it's not over the decibel reading. But it's not just the volume, it could be the duration, etc. If they are using vulgar language, then it could get into disturbing the peace or disorderly conduct. Mayor Bring states I hate to pick on something, but you also have these people with the loud motorcycles, and they are warming them up at 4-5 in the morning and going to work. They turn them on and leave them running or rev them up and rev them up. Stuff like that. Member Wtulich asks when did it go to the decibel readings? Law Director Graves responds like 8-10 years ago.

CITIZEN'S COMMENTARY: None.

ORDINANCE/RESOLUTIONS BEFORE COUNCIL AT THIS TIME:

Law Director Graves states we will have some ordinances coming up. We have the salt purchase and the sale of city property.

MEETING ADJOURNED: With no further business before this committee, *Motion by Wtulich/Second by Radeff to adjourn at 8:34 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 April 6, 2021.

CHAIRPERSON

Rocky Radeff

COUNCIL PRESIDENT

Rick Rosso