

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
May 23, 2022
8:00 PM

Meeting Conducted Via WebEx Meeting Platform

PUBLIC ACCESS FOR RESIDENTS:

Please go to the City's Homepage at www.cityofsoutheuclid.com
and click the "Join City Council Meeting Link"
at the top of the webpage.

The Password to Join the Meeting is:

8Py3ZVV9vpN (87939889 from phones and video systems)

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1. PLEDGE OF ALLEGIANCE
 2. ROLL CALL
 3. REPORT OF MAYOR & DEPARTMENT HEADS
 4. REPORT OF LAW DIRECTOR
 5. REPORT OF SCHOOL DISTRICT
 6. PUBLIC HEARINGS (OPEN MEETING) RELATED TO AGENDA ITEMS
 7. REPORT OF COUNCIL COMMITTEES

1. Ordinance 06-22 An Ordinance creating New Section 531.10
"Abatement of Criminal Nuisances" of Chapter 531
"Nuisances" of Part Five "General Offenses" of the
Codified Ordinances of the City of South Euclid, Ohio.
Second Reading.

2. Resolution 36-22 Providing for the appropriation of unappropriated funds
in the General Fund to South Euclid Municipal Court
#7750 in an amount not to exceed \$42,000 for software
licensing fees. First Reading.

8. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Resolution 35-22 Declaring it necessary to improve certain described
public streets, roads, and places in the City of South
Euclid, Ohio by providing street lighting; and declaring
an emergency. First Reading.

2. Ordinance 09-22 Determining to proceed with the improvement of
certain described public streets, roads, and places in the
City of South Euclid, Ohio by providing street lighting;
and declaring an emergency. First Reading.

3. Ordinance 10-22 Approving the editing and inclusion of certain
ordinances as parts of the various component codes of
the codified ordinances; providing for the adoption and
publication of new matter in the updated and revised
codified ordinances; repealing ordinances and
resolutions in conflict therewith; and declaring an
emergency. First Reading.

9. PUBLIC HEARINGS (OPEN MEETING) RELATED TO OPEN BUSINESS

10. COMMUNICATIONS OF CITY COUNCIL

11. ADJOURN

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 06-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

April 11, 2022
Safety Committee April 25, 2022
Safety Committee May 9, 2022
As amended in committee May 9, 2022

AN ORDINANCE

AN ORDINANCE CREATING NEW SECTION 531.10 "ABATEMENT OF CRIMINAL NUISANCES" OF CHAPTER 531 "NUISANCES" OF PART FIVE "GENERAL OFFENSES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO,

WHEREAS, the intent of the nuisance abatement ordinance is to promote, protect, and improve the health, safety, and welfare of our resident.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 531.10 "Abatement of Criminal Nuisances" of Chapter 531 "Nuisances" of Part Five "General Offenses Code" of the Codified Ordinances of the City of South Euclid, Ohio be created as follows:

531.10 ABATEMENT OF CRIMINAL ACTIVITY NUISANCES.

(a) The following activities occurring on either residential or commercial properties, or within 100 feet of the property line of a residential or commercial property, and engaged in by an owner, occupant or invitee of the owner or occupant of such residential or commercial properties, are hereby declared to be public nuisances.

(1) Any animal violations under Codified Ordinance Sections 505.01, Dogs and Other Animals Running at Large; Dangerous and Vicious Dogs; 505.09, Barking or Howling Dogs; 505.06, Poisoning Animals; 505.07, Cruelty to Animals; 505.071, Neglect of Animals; 505.08, Noxious Odors; Unsanitary Conditions, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(2) Any disorderly conduct, disturbance of the peace or other violation of Chapter 509 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(3) Any drug abuse violation under Chapter 513 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(4) Any gambling violation under Chapter 517 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(5) Any health, safety or sanitation violation under Chapter 521 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(6) Any obstruction of official business violation under Section 525.07 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(7) Any alcohol violations under Chapter 529 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(8) Any sex offenses under Sections 533.07, Public Indecency; 533.08, Procuring; 533.09, Soliciting; or 533.10, Prostitution, of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(9) Any offense against another person under Chapter 537 of the Codified Ordinances with the exception of Domestic Violence charged pursuant to Section 537.14 or equivalent Ohio Revised Code section; Menacing by Stalking charged pursuant to Section 537.051 or equivalent Ohio Revised Code section; or Violating Protection Order charged pursuant to Ohio R.C. 2919.27;

(10) Any offense against property under Sections 541.03, Criminal Damaging or Endangering; 541.04, Criminal Mischief, of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(11) Any littering or deposition of waste under Chapter 527 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(12) Any theft violation under Sections 545.05, Petty Theft; 545.08, Unauthorized Use of Property, of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(13) Any weapons, explosives, firearm or handgun violation under Chapter 549 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

(14) Any fireworks violation under Chapter 1540 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;

~~(15) Any waste container violation under Section 1411.081 of the Codified Ordinances, or the corresponding equivalent offense pursuant to the Ohio Revised Code;~~

(16) Any violation of Section 147.04(s), Prohibited Standing or Parking Places, no vehicle shall be parked on any lot other than in an enclosed structure thereon or on the driveway from the public right-of-way to the enclosed structure or Section 147.04(b), Prohibited Standing or Parking Places, on a sidewalk, except a bicycle;

~~(17) Any violation under Section 1405.24 of the Codified Ordinances;~~

~~(18) Any violation under Section 1405.245 of the Codified Ordinances;~~

(19) Any violation under Section 1609.07 of the Codified Ordinances; and

(20) Any offense that is a felony under the Ohio Revised Code.

(b) The Chief of Police or his designee, upon finding that two or more nuisance activities declared in this section have occurred within any 12-month period, may cause a written notice and order to be served on the owner(s) and occupant(s) of the property declaring that such property is a nuisance property. The notice and order shall set forth the nature of the nuisances, the estimated costs to abate any future nuisances, and state that the owner(s) and occupant(s) may avoid being charged the costs of abatement by taking steps to prevent any further nuisance activity as set forth in this section. The notice shall also set forth the timeframe and methodology in which the owner(s) or occupant(s) may file for a reconsideration or appeal of the determination that such property is a nuisance property as is hereinafter set forth in this section. The notice shall further state that if a third or subsequent nuisance activity as declared in this section occurs within 12 months of the written notice, the City may abate the nuisance by responding to the activities using administrative and law enforcement actions, and the costs of such abatement shall be assessed on the nuisance property. Notice shall be served as set forth in Sections 531.02 and 531.03 of the Codified Ordinances.

(c) If within 12 months after the written notice referred to in division (b) of this section has occurred, a third nuisance activity as declared in this section occurs, the City may abate the nuisance by responding to the activity using administrative and law enforcement actions, and the costs of such abatement shall be assessed on the nuisance property in the same manner as in Section 531.04 of the Codified Ordinances, and the costs shall be calculated as set forth in division (e) of this section. The City shall provide notice to the owner(s) and occupant(s) of the nuisance property of the City's intent to assess the costs of abatement against the owner's property at least 30 days before such costs are certified to the County for assessment against the property, and such notice shall contain a description of the nuisance activity that is the basis for the notice of intent to assess the property, and the cost to abate. Notice shall be served as set forth in Section 531.03 of the Codified Ordinances.

(d) The owner(s) and/or occupant(s) of a property who receives a notice from the Chief of Police or his designee pursuant to this section may appeal such notice by submitting a written request for reconsideration to the Chief of Police within 30 days of the date of the notice. If the Chief of Police finds that the facts presented do not support the declaration of a nuisance, the Chief shall rescind the notice. Otherwise, the Chief shall deny the request and refer the appeal for hearing by the Board of Zoning Appeals. Any such appeal shall not require any filing fee, but does not stay any actions by the City to abate the first or any subsequent nuisance activity. In any such appeal, the City must show by a preponderance of the evidence that each violation stated in the notice being appealed has occurred, and that the declaration of the property as a nuisance property or of the intent of the City to assess the property for abatement costs, whichever is applicable, is justified. The City shall be deemed to have failed to have met this standard if the owner or occupant demonstrates by a preponderance of evidence that:

(1) He or she was not the owner(s) or occupant(s) at the time of any of the nuisance activity that is the basis of the notice; or

(2) He or she had knowledge of the nuisance activity, but has promptly and vigorously taken all actions necessary to abate each nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9); or

(3) He or she had knowledge of the nuisance activity and could not, with reasonable care and diligence, have known of the nuisance activity; and upon receipt of the notice of the declaration of the property as a nuisance property, he or she promptly took all actions necessary to abate the nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9).

(e) Costs of abatement shall be assessed based upon an escalating defined cost. The escalating defined costs are: two hundred and fifty dollars (\$250.00) upon the first declaration of nuisance under this chapter; five hundred dollars (\$500.00) on the second nuisance declaration; seven hundred fifty dollars (\$750.00) on the third nuisance declaration; and one thousand dollars (\$1,000.00) on each subsequent nuisance declaration. If any violation of nuisance activities described in division (a)(1) through (a)(16) above involves the possession and/or discharge of a firearm in violation of any Federal, State or local law, there shall be an additional cost assessed of two thousand dollars (\$2,000) to each enumerated cost listed in this section.

(f) The declaration of a nuisance property, an order to abate a nuisance, or the assessment of costs by the City on a property, do not affect or limit the City's right or authority to bring criminal prosecution or other legal action against any person for violation of the City's ordinances.

(g) No enforcement action or abatement under this section will be ordered against a real property owner who is either: (1) an individual who was a complainant or a victim in whole or in part of the incidents that formed the basis of the nuisance enforcement action; or (2) an individual who has a known disability or has a relationship or association with an individual who has a known disability pursuant to the Americans with Disabilities Act, as is set forth in 28 C.F.R. Ch. 1, Pt. 35, as may be hereinafter amended ("ADA"), in whole or in part of the incidents that formed the basis of the nuisance enforcement action. No abatement measure against an individual will be predicated upon the fact that such individual called for police or emergency services. Any decision or related order in a nuisance proceeding imposing enforcement or abatement action shall make a finding whether that individual is a victim, complainant, or qualifies for an exemption pursuant to the ADA. If the individual is not found to be a victim or complainant, and also does not qualify for an exemption pursuant to the ADA, then that individual may be the subject of such enforcement or abatement action under this Section.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This ordinance shall take effect and be enforced from and after the earliest period allowed by law and upon signature of the mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, Council President

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 36-22
INTRODUCED BY: Gray
REQUESTED BY: Judge Byers

May 23, 2022

A RESOLUTION

PROVIDING FOR THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE GENERAL FUND TO SOUTH EUCLID MUNICIPAL COURT #7750 IN AN AMOUNT NOT TO EXCEED \$42,000 FOR SOFTWARE LICENSING FEES.

WHEREAS, the South Euclid Municipal Court has requested that City Council appropriate funds to pay for court management software licensing fees.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the General Fund to South Euclid Municipal Court Code 7750 in an amount not to exceed \$42,000 for the payment of court management software licensing fees.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law



COME TOGETHER & THRIVE

Memorandum

To: Members of Council

From: Keith Ari Benjamin, Director of Community Services

Date: May 19, 2022

RE: Res. 35-22 and Ord. 09-22 Renewal of Street Light Assessments

Resolution 35-22 and Ordinance 09-22 are companion pieces of legislation related to the renewal of the streetlight assessment. City Engineer Blackley works with the Finance Department to prepare the assessments, and it is my understanding that the re-authorization keeps them at current rates, with no additional increases for residents and businesses.

The City has over 2,300 streetlights, and like most other suburbs, the utility poles are owned and maintained by First Energy. The City is billed by First Energy for the associated costs and the assessment is made through a formula calculating the frontage of each property. For example, the average 40-foot frontage property is assessed approximately \$26-\$27 a year for street lighting.

Please don't hesitate to contact City Engineer Blackley if you have any questions or need additional information.

Thank you.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO. 35-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

May 23, 2022

A RESOLUTION

DECLARING IT NECESSARY TO IMPROVE CERTAIN DESCRIBED PUBLIC STREETS, ROADS, AND PLACES IN THE CITY OF SOUTH EUCLID, OHIO BY PROVIDING STREET LIGHTING; AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of South Euclid, County of Cuyahoga, State of Ohio:

Section 1: That it is necessary to improve in the City of South Euclid, Ohio, the public streets, roads and places by lighting with lamps of the size and at the locations specified in the certified list as filed with the Clerk of Council and furnished by the Illuminating Company.

Section 2: That said public streets, roads and places shall be improved as shown on the plans hereinafter referred to and now on file in the office of the Clerk of Council of this City.

Section 3: It is hereby determined and declared that said improvement is conducive to the public health, convenience and welfare of said City and the inhabitants thereof.

Section 4: That the grade of said public streets, roads and places and improvement shall be the grade as shown by the Engineer's plans and profiles, heretofore prepared and now on file in the office of the Clerk of Council of this City.

Section 5: That the plans, specifications and estimates of the proposed improvement, heretofore prepared and now on file in the office of the Clerk of Council of this City, are hereby approved.

Section 6: That the whole cost of said improvement, less 1/50th of such whole cost, together with the cost of intersections, shall be assessed in proportion to the benefits which may result from the improvement upon the following described lots and lands, to wit:

All lots and lands situated within the corporate limits of the City of South Euclid, Ohio, which said lots and lands are hereby determined to be specifically benefited by said improvement; and the cost of said improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of damage resulting from the improvement assessed in favor of any land owner of land affected by the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring therefore any required real estate or interest therein, expenses of legal services including obtaining an approving legal opinion, cost of labor and material together with all other necessary expenditures.

Section 7: That the Engineer be and he is hereby authorized and directed to prepare and file in the office of the Clerk of Council of this City the estimated assessments of the cost of the improvement described in this Resolution. Such estimated assessments shall be based upon the estimate of cost of said improvement now on file in the office of the Clerk of Council of this City and shall cause notice of the adoption of this Resolution and the filing of said estimated assessments to be given to owners of all lots and lands to be assessed as provided in Section 727.14 of the Ohio Revised Code.

Section 8: That the assessments to be levied and collected shall be paid in two annual installments; provided that the owner of any property assessed may, at the owner's option, pay such assessment in cash within ten days after passage of the assessing ordinance.

Section 9: That the bonds of the City shall not be issued in anticipation of the collection of assessments by installments.

Section 10: That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 11: That this Resolution is hereby determined to be an emergency measure necessary for the preservation of the public peace, health and safety of this City, and for the further reason that the immediate provision for the lighting of said public streets, roads, and places is necessary for safe and convenient travel upon the streets of the City; wherefore, this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 09-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

May 23, 2022

AN ORDINANCE

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN DESCRIBED PUBLIC STREETS, ROADS, AND PLACES IN THE CITY OF SOUTH EUCLID, OHIO BY PROVIDING STREET LIGHTING; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of South Euclid, County of Cuyahoga, State of Ohio:

Section 1: That it is hereby determined to proceed with the improvement in the City of South Euclid of certain public streets, roads, and places described in Resolution No. 35-22 duly adopted by this Council on _____, 2022 by lighting with lamps as described in such Resolution No. 35-22.

Section 2: That said improvement shall be made in accordance with the provisions of Resolution No. 35-22 adopted on _____, 2022 and with the plans, specifications, estimates, and profiles heretofore approved and now on file in the office of the Clerk of this Council.

Section 3: That all claims for damages resulting therefrom that have been legally filed shall be inquired into before the commencement of the proposed improvement, and the Director of Law is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into any such claims that have been so filed.

Section 4: That portion of the cost provided in the above-mentioned Resolution of necessity to be assessed shall be assessed in the manner provided in said Resolution No. 35-22 and on the lots and lands described therein for a period of three (3) consecutive years beginning with the 2022 Tax Duplicate for collection in the years 2023 through 2025.

Section 5: That the estimated assessments heretofore prepared and filed in the office of the Clerk of this Council be and the same are hereby approved and adopted.

Section 6: That said assessment shall be paid in two (2) equal annual installments, shall be certified to the County Auditor and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within ten (10) days from the passage of this levy Ordinance.

Section 7: That the Clerk of this Council is hereby directed to deliver a Certified Copy of this Ordinance to the Cuyahoga County Fiscal Officer within fifteen days after its passage.

Section 8: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 9: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City and for the further reason that the immediate provision for the lighting of said public streets, roads, and places is necessary for safe and convenient travel upon the streets of this City; wherefore; this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law



COME TOGETHER & THRIVE

Memorandum

To: Members of Council

From: Keith Ari Benjamin, Director of Community Services

Date: May 18, 2022

RE: Ord. 10-22 Codification of Ordinances and Update to Reflect State Code

Ordinance 10-22 is the annual codification update of Ordinances approved by City Council during the last year, along with any revisions necessary as a result of changes to the State Code by American Legal Publishing Corporation.

The codification covers all code changes made by City Council in the last year through February 28, 2022 and encompasses 11 Ordinances approved by City Council. Exhibit A attached to the Ordinance details the codified changes – including any changes made by the State of Ohio that impact South Euclid.

Please don't hesitate to let me know if you have any questions or need additional information.

Thank you.

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 10-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

May 23, 2022

AN ORDINANCE

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances and have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
12-19	6-14-21	1137.03
04-21	1-24-22	1107.01 to 1107.05
07-21	4-26-21	933.07
14-21	6-14-21	111.01
01-21	7-26-21	1415.01 to 1415.08
10-21	7-26-21	1607.05
11-21	7-26-21	1510.10
12-21	11-8-21	1305.01, 1305.02, 1305.05 to 1305.15, Repeals 1305.04, 1305.16
21-21	10-11-21	Repeals 531.09
22-21	1-24-22	731.03, 741.02, Repeals 741.04
01-22	2-28-22	1540.06, 1540.07, 1540.10, 1540.99

Section 2. That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

101.03, 301.185, 301.51, 331.21, 331.37, 333.03, 335.02, 335.04, 335.09, 371.13, 371.14, 373.10, 373.22, 501.14, 509.07, 513.01, 513.18, 517.01, 517.09, 517.10, 517.12, 517.14, 517.15, 517.18, 525.13, 529.01, 529.07, 529.12, 533.09, 533.095, 533.10, 541.04, 541.05, 541.051, 541.11, 545.03, 545.09, 549.02, 549.06, 549.22, 1540.01, 1540.08.

Section 3. That pursuant to Article II, Section 5(d), of the City Charter, Ohio R.C. 731.23 and Section 113.05 of the Codified Ordinances, the Clerk of Council shall publish the number, title and date of passage of this Ordinance, twice on the same day of two successive weeks in a newspaper of general circulation within the City, and, further, shall post a certified copy of this Ordinance, together with such summary, for at least fifteen days in a public place in the City Hall.

Section 4. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio R.C. Section 121.22.

Section 5. That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for the further reason that it will update the codification of the legislation of the City, consistent with the City Charter and with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City, enforce law and order and avoid practical and legal entanglements. Wherefore, this Ordinance and the 2021-2022 Replacement Pages for the Codified Ordinances hereby approved, adopted and enacted, shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2021-2022 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF SOUTH EUCLID, OHIO

New matter in the 2021-2022 Replacement Pages for the Codified Ordinances of South Euclid, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
101.03	Rules of construction.
301.185	Definition of "low-speed micromobility device."
301.51	Definition of vehicle.
331.21	Right-of-way public safety or coroner's vehicle.
331.37	Driving upon sidewalks, street lawns or curbs.
333.03	Maximum speed limits; assured clear distance ahead.
335.02	Possession of more than one license prohibited.
335.04	Certain acts prohibited.
335.09	Display of license plates; registration.
371.13	Operation of personal delivery device on sidewalks and crosswalks.
371.14	Low-speed micromobility devices.
373.10	Motorized bicycle operation, equipment and license.
373.22	Electric bicycles.
501.14	Self defense; limitations on duty to retreat prior to using force.
509.07	Making false alarms.
513.01	Definitions relating to drugs.
513.18	Sale of dextromethorphan.
517.01	Definitions related to gambling.
517.09	Responsibility of charitable organization conducting bingo game.
517.10	Maintenance of records by charitable organizations.
517.12	Exemption for bingo games conducted for amusement.
517.14	Raffle drawings.
517.15	Instant bingo other than bingo sessions.
517.18	Electronic instant bingo; prohibited conduct.
525.13	Interfering with civil rights.
529.01	Definitions related to liquor control.
529.07	Open container prohibited.
529.12	Conveying intoxicating liquor or cash onto grounds of detention facilities or other institutions.
533.09	Soliciting.
533.095	Loitering to engage in solicitation.
533.10	Prostitution.
541.04	Criminal mischief.
541.05	Criminal trespass.
541.051	Aggravated trespass.
541.11	Railroad vandalism; criminal trespass; interference with operation of train; grade crossing device vandalism.
545.03	Property exceptions as felony offense.
545.09	Passing bad checks.
549.02	Carrying concealed weapons.
549.06	Unlawful transactions in weapons.
549.22	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
1540.01	Definitions related to fireworks.
1540.08	Exceptions.