

521.04 SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY.

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CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

521.04 SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY.

CHAPTER 521 Health, Safety and Sanitation

521.02 VENTING OF HEATERS AND BURNERS.

(a) A brazier, salamander, space heater, room heater, furnace, water heater or other burner or heater using wood, coal, coke, fuel oil, kerosene, gasoline, natural gas, liquid petroleum gas or similar fuel, and tending to give off carbon monoxide or other harmful gas:

(1) When used in living quarters, or in any enclosed building or space in which persons are usually present, shall be used with a flue or vent so designed, installed and maintained as to vent the products of combustion outdoors; except in storage, factory or industrial buildings which are provided with sufficient ventilation to avoid the danger of carbon monoxide poisoning;

(2) When used as a portable or temporary burner or heater at a construction site, or in a warehouse, shed or structure in which persons are temporarily present, shall be vented as provided in subsection (a) hereof, or used with sufficient ventilation to avoid the danger of carbon monoxide poisoning.

(b) This section does not apply to domestic ranges, laundry stoves, gas logs installed in a fireplace with an adequate flue, or hot plates, unless the same are used as space or room heaters.

(c) No person shall negligently use, or, being the owner, person in charge, or occupant of premises, negligently permit the use of a burner or heater in violation of the standards for venting and ventilation provided in this section.

(d) Subsection (a) hereof does not apply to any kerosene-fired space or room heater that is equipped with an automatic extinguishing tip-over device, or to any natural gas-fired or liquid petroleum gas-fired space or room heater that is equipped with an oxygen depletion safety shutoff system, and that has its fuel piped from a source outside of the building in which it is located, that are approved by an authoritative source recognized by the State Fire Marshal in the State Fire Code adopted by him under Ohio R.C. 3737.82.

(e) The State Fire Marshal may make rules to ensure the safe use of unvented kerosene, natural gas or liquid petroleum gas heaters exempted from subsection (a) hereof when used in assembly buildings, business buildings, high hazard buildings, institutional buildings, mercantile buildings and type R-1 and R-2 residential buildings, as these groups of buildings are defined in rules adopted by the Board of Building Standards under Ohio R.C. 3781.10. No person shall negligently use, or, being the owner, person in charge or occupant of premises, negligently permit the use of a heater in violation of any rules adopted under this subsection.

(f) The State Fire Marshal may make rules prescribing standards for written instructions containing ventilation requirements and warning of any potential fire hazards that may occur in using a kerosene, natural gas, or liquid petroleum gas heater. No person shall sell or offer for sale any kerosene, natural gas or liquid petroleum gas heater unless the manufacturer provides with the heater written instructions that comply with any rules adopted under this subsection.

(g) No product labeled as a fuel additive for kerosene heaters and having a flash point below one hundred degrees fahrenheit or thirty-seven and eight-tenths degrees centigrade shall be sold, offered for sale or used in any kerosene space heater.

(h) No device that prohibits any safety feature on a kerosene, natural gas or liquid petroleum gas space heater from operating shall be sold, offered for sale or used in connection with any kerosene, natural gas or liquid petroleum gas space heater.

(i) No person shall sell or offer for sale any kerosene-fired, natural gas or liquid petroleum gas-fired heater that is not exempt from subsection (a) hereof unless it is marked conspicuously by the manufacturer on the container with the phrase "Not Approved For Home Use".

(j) No person shall use a cabinet-type, liquid petroleum gas-fired heater having a fuel source within the heater, inside any building, except as permitted by the State Fire Marshal in the State Fire Code adopted by him under Ohio R.C. 3737.82.

(ORC 3701.82)

(k) Whoever violates this section is guilty of a misdemeanor of the first degree. (ORC 3701.99(C))

521.03 BARRICADES AND WARNING LIGHTS; ABANDONED EXCAVATIONS.

(a) No person shall abandon or knowingly permit to remain on public or private property, any excavation, well, cesspool or structure which is in the process of construction, reconstruction, repair or alteration unless the same is adequately protected by suitable barricades and guarded by warning devices or lights at night so that the condition will not reasonably prove dangerous to life or limb.

(b) No person shall destroy, remove, damage or extinguish any barricade or warning light that is placed for the protection of the public so as to prevent injury to life or limb.

(c) Any owner or agent in control of a premises upon which a basement, cellar, well or cistern has been abandoned due to demolition, failure to build or any other reason shall cause the same to be filled to the ground surface with rock, gravel, earth or other suitable material.

(d) Whoever violates this section is guilty of a minor misdemeanor.

521.04 SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY.

(a) No person shall place or knowingly drop upon any part of a sidewalk, playground or other public place any tacks, bottles, wire, glass, nails or other articles which may damage property of another or injure any person or animal traveling along or upon such sidewalk or playground.

(b) No person shall walk on, or allow any animal upon, or injure or deface in any way, any soft or newly laid sidewalk pavement.

(c) No person shall place, deposit or maintain any merchandise, goods, material or equipment upon any sidewalk so as to obstruct pedestrian traffic thereon except for such reasonable time as may be actually necessary for the delivery or pickup of such articles. In no case shall the obstruction remain on such sidewalk for more than one hour.

(d) No person shall unload upon, or transport any heavy merchandise, goods, material or equipment over or across any sidewalk or curb without first placing some sufficient protection over the pavement to protect against damage or injury. The affected area shall be rendered safe and free from danger.

(e) No person shall allow any cellar or trap door, coal chute or elevator or lift opening in any sidewalk to remain open without providing suitable safeguards to protect and warn pedestrian traffic of the dangerous condition.

(f) Whoever violates this section is guilty of a minor misdemeanor.

521.05 NOTICE TO FILL LOTS, REMOVE PUTRID SUBSTANCES.

(a) No person shall fail to comply with the following requirements within the lawful time after service or publication of the notice or resolution is made as required by law:

To fill or drain any lot or land or remove all putrid substances therefrom, or remove all obstructions from culverts, covered drains or natural watercourses as provided in Ohio R.C. 715.47.

(b) No person owning or having control of lots in the City shall allow the accumulation of refuse, garbage, debris, offal or any other noxious substance on such land.

(1) The Director of Public Service and/or the Director of Public Safety are hereby authorized to give ten days written notice to any person found violating this subsection to correct any and all aforesaid violations.

(2) In the event such person receiving such notice fails to comply with this subsection within ten days after receipt thereof, the Director of Public Service and/or Director of Public Safety are hereby authorized to remove such substances and are further authorized to charge the expenses for such removal to the person owning or having control of such lots.

(3) Any expense incurred by the City in removing such substances, if not paid within three months after such removal, shall be made a lien upon the premises charged therewith which lien shall be certified to the County Auditor, who shall place the same on the tax duplicate to be collected as other Municipal taxes are collected.

(c) No person shall place or dispose of, in any manner, any garbage, waste peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil or anything else of an unsightly or unsanitary nature along, near or on any public road, street, parkway, park drive, highway, ditch or any land adjoining any public road, highway, or ditch, except on land provided by the Planning Commission, by City ordinance or by other governmental authority, unless directed to do so by public officials on special cleanup days.

(Ord. 3-74. Passed 1-8-74.)

(d) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor.
521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.

(a) No owner or occupant of abutting lands shall fail to keep the sidewalks, curbs or gutters in repair and free from snow, ice or any nuisance.

(ORC 723.011)

(b) No owner of any lot or land abutting upon any street shall refuse, fail or neglect to repair or keep in repair and free from nuisance and obstruction, the sidewalk in front of such lot or land after due notice of a resolution of Council ordering the repair of such sidewalk, the removal of such obstruction or the abatement of such nuisance.

(c) If the owner or person having charge of such land fails to comply with such notice, Council shall cause the sidewalks to be repaired in accordance with the Ohio Revised Code. All expenses and labor costs incurred shall, when approved by Council, be paid out of Municipal funds not otherwise appropriated. Council shall make a written return to the County Auditor of its action, with a statement of the charges for its services, the amount paid for labor, the fees of the officers serving such notices and a proper description of the premises; such amounts when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of the entry and be collected as other taxes and returned to the Municipality with the General Fund. (Ord. 3-74. Passed 1-8-74.)

(d) Whoever violates this section is guilty of a minor misdemeanor.
521.07 FENCES.

(a) No person shall erect or maintain any fence charged with electrical current.

(b) No person shall erect or maintain a barbed wire fence which abuts or is adjacent to any public street or sidewalk. This subsection (b) does not prevent the placement and use of not more than three strands of barbed wire on top of a fence other than a barbed wire fence, provided such strands are not less than seventy-two inches from the ground.

(c) Whoever violates this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

521.08 LITTERING AND DEPOSIT OF GARBAGE, RUBBISH AND JUNK.

(a) No person shall, without lawful authority, place, dispose of in any manner, or maintain, upon any public property or upon the private property of another, any paper, trash, garbage, waste, rubbish, refuse, junk or any substance or material which is or may become noxious, offensive, injurious or dangerous to the public health, comfort or safety. No person, without authority to do so, shall maintain upon property they own or lease, any paper, trash, garbage, waste, rubbish, refuse, junk or any substance or material which is or may become noxious, offensive, injurious or dangerous to the public health, comfort or safety thirty days after being notified by the Mayor, Service Director, Building Inspector or a Police Officer to remove said substance or material.

(b) No person, without privilege to do so, shall knowingly deposit litter, or cause it to be deposited, in a litter receptacle located on any public property or on any private property not owned by the person unless one of the following applies:

(1) The litter was generated or located on the property on which the litter receptacle is located;

(2) The person is directed to do so by a public official as part of a litter collection drive;

(3) The person is directed to do so by a person whom the person reasonably believes to have the privilege to use the litter receptacle;

(4) The litter consists of any of the following:

A. The contents of a litter bag or container of a type and size customarily carried and used in a motor vehicle;

B. The contents of an ash tray of a type customarily installed or carried and used in a motor vehicle;

C. Beverage containers and food sacks, wrappings, and containers of a type and in an amount that reasonably may be expected to be generated during routine commuting or business or recreational travel by a motor vehicle;

D. Beverage containers, food sacks, wrappings, containers, and other materials of a type and in an amount that reasonably may be expected to be generated during a routine day by a person and deposited in a litter receptacle by a casual passerby.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree. A separate offense shall be deemed to have been committed on each day the junk, refuse or other noxious substance remains on the property after the initial charge is brought under this section.

(d) Any person, corporation or other entity providing information that leads to the arrest and conviction of any person for a violation of this section shall receive a reward from the City in the amount of fifty dollars (\$50.00); excluding any employee, officer or official of the City.

(e) As used in this ordinance "junk" means any personal property which is or may be salvaged for reuse, resale, reduction or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled, or assorted for any of the aforesaid purposes. Without limiting the aforesaid definition, used furniture, used wearing apparel, used household appliances, used brick, used lumber, used tile, used plumbing fixtures, used electrical fixtures, used tools and used

bicycles shall be included in the term "junk" as used in this ordinance. The term also includes used or salvaged iron, brass, lead, copper and other base metal or metals, salvaged rope, bags, paper, rags, glass, rubber, tires and similar articles or property. The term also includes used motor vehicles which are used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

(Ord. 17-16. Passed 4-12-16.)

521.09 NOXIOUS OR OFFENSIVE ODORS.

(a) No person shall erect, continue, use or maintain a dwelling, building, structure or place for a residence or for the exercise of a trade, employment or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort or property of individuals or of the public.

(ORC 3767.13)

(b) Whoever violates this section is guilty of a misdemeanor of the third degree.

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- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- orderly Conduct and Peace Disturbance
- REPEALED)
- adopted by him under Ohio R
- adopted by the Board of Building Standards under Ohio R
- adopted under this subsection

- ordinance or by other governmental authority, unless directed to do so by public officials on special cleanup days
 - Ord. 3-74
 - ordering the repair of such sidewalk, the removal of such obstruction or the abatement of such nuisance
 - ordinance with the Ohio Revised Code
 - ordinance "junk" means any personal property which is or may be salvaged for reuse, resale, reduction or similar disposition, or which is possessed, transported, owned, collected, accumulate
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