

521.07 FENCES.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

521.07 FENCES.

CHAPTER 521 Health, Safety and Sanitation

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.

521.10 NONSMOKING AREAS IN PLACES OF PUBLIC ASSEMBLY. (REPEALED)

(EDITOR'S NOTE: Former Section 521.10 was repealed by Ordinance 26-07, passed March 13, 2007.)

521.11 JUNK VEHICLES.

(a) As used in this section, "junk motor vehicle" means any motor vehicle which:

(1) Is extensively damaged, such damage including but not limited to any of the following: missing wheels, missing tires, missing motor, or missing transmission; or

(2) Is apparently inoperable; or

(3) That is left on private property for more than seventy-two hours with the permission of the person having the right of possession to the property in any of the foregoing or following conditions; or

(4) Is not able to be legally operated upon a public street, road or highway for any reason whether mechanical, operational or otherwise for a period in excess of seventy-two hours; or

(5) That does not have validly issued license plates and a valid registration which allow it to

be operated legally upon public streets, roads or highways for a period in excess of seventy-two hours; and

that is left on private property for more than seventy-two hours with or without the permission of the person having the right to possession of the property unless the person is operating a junk yard or scrap metal processing facility licensed under authority of Ohio R.C. 4737.05 to 4737.12, or regulated under the authority of the Municipality; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to possession of the property can establish that the motor vehicle is part of a bona fide commercial operation.

(Ord. 103-92. Passed 11-10-92.)

(b) The Building Inspector may send notice by certified mail with return receipt requested to the person having the right to the possession of the property on which a junk motor vehicle is left, that within five days of receipt of the notice the junk motor vehicle shall either be housed in a garage approved by the City, or other suitable structure approved by the City, or shall have removed from the property. (Ord. 73-01. Passed 12-4-01.)

(c) No person shall leave or cause to be left a junk motor vehicle on private property five days after receipt of the notice provided for in subsection (c) hereof. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent period of thirty days that a junk motor vehicle continues to be so left constitutes a separate offense. (Ord. 44-88. Passed 6-14-88.)

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree on a first offense and on each subsequent offense such person is guilty of a misdemeanor of the first degree. (Ord. 74-01. Passed 12-4-01.)

521.12 SPITTING. (REPEALED)

(EDITOR'S NOTE: Former Section 521.12 was repealed by Ordinance 57-22, passed October 11, 2022.)

521.13 TRANSPORTATION OF NOXIOUS SUBSTANCES.

(a) No person shall carry, or cause to be carried, in any vehicle of any kind, upon the public streets, highways and alleys of the City, any substance or material which by its nature or condition gives off noxious or offensive odors, fumes, smoke or gases.

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

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

521.14 BURYING RUBBISH, BUILDING MATERIALS, ETC.

(a) No person shall bury rubbish, trash, garbage, building materials or other similar items within the City. (Ord. 57-73. Passed 6-26-73.)

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

521.15 NUMBERING OF RESIDENTIAL AND NONRESIDENTIAL BUILDINGS.

(a) All businesses, houses and dwellings situated within the corporate limits of the City shall be numbered in the manner as set forth in this section and according to the system prescribed in this section.

(b) The owner, agent, lessee, occupant or other person having control of and/or ownership of any business, house, dwelling, or building or other structure in the City upon a street to which street numbers have been assigned shall cause the proper Arabic numbers to be placed on and continuously maintained on the fanlight, transom, door, entrance, steps or gate, or conspicuous place on the front of such building, dwelling, house or other structure in such a manner that the number may at all times be legible and visible from the street pavement in front of such building,

dwelling, house or other structure. If a building, dwelling, house or other structure stands back more than forty-five feet from the front lot line, the numbers shall be conspicuously displayed at or near the walk, driveway or common entrance to such building, dwelling, house or other structure at the streetline or on a gate post, fence, tree or post or other appropriate place so as to be legible and visible from the street pavement. Such requirement of conspicuous display of the numbers on such building, dwelling, house or other structure standing back more than forty-five feet from the front lot line shall not be interpreted or construed to mean that the numbers need not be placed on the building, dwelling, house or other structure as set forth hereinabove but shall require a second numbering as set forth herein. As used in this section, "front" means that side of the building, dwelling, house or other structure which faces the street on which the number of the building or premises on which such building, dwelling, house or other structure is situated, has been allotted, and that the numbers shall be displayed on such side of such building, dwelling, house or other structure and/or premises.

(c) No person, corporation or other entity without just cause shall remove, alter or deface any house number properly assigned and placed on or near a building, dwelling, house or other structure. Nor shall any person, corporation or entity without just cause place or retain on any building, dwelling, house or other structure any number other than the number duly assigned if such additional number could reasonably be mistaken for the assigned street number.

(d) All owners of any building, dwelling, business, house or other structure, office or tenement blocks of buildings, having two or more stories therein shall have numbers affixed to all rooms above the first story and have permanently affixed and placed on the side or sides of the first entrance or stairway adjacent to any street, a complete directory of the businesses, firms, offices, tenants or lessees occupying the upper stories of such businesses, offices, or tenement blocks, or buildings. The directory shall be placed affixed in a conspicuous position and so arranged as to have the names or other designations thereon easily changed. The provisions of this subsection shall not apply to single family residence dwellings.

(e) No person, corporation or entity shall fail to install or maintain the proper numbers and/or directories as required by this section. The numbers shall be Arabic, shall not be less than three inches in height and the color of numbers shall contrast with the color of the surface on which they are mounted, applied or appear and shall be visible and legible from the sidewalk and street. The owner, agent, lessee, occupant or other person having ownership and/or control of such building, dwelling, house or other structure, may post additional sets of address numbers provided that one set complies with the provisions of this section.

(f) Whoever violates or fails to comply with the provisions of this section shall be guilty of a minor misdemeanor. Any such violation or failure to comply with the terms of this section shall constitute a separate offense on each successive day such violation or failure to comply is continued. (Ord. 67-90. Passed 6-26-90.)

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