

ORDINANCE NO. 2017-11
INTRODUCED BY: COUNCILPERSON CHARLES LOPRESTI

**AN ORDINANCE AMENDING CHAPTER 161 OF THE
CODIFIED ORDINANCES TITLED CRIMINAL
ACTIVITY NUISANCES BY AMENDING SECTION
161.01(i), AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,
COUNTY OF CUYAHOGA, STATE OF OHIO, THAT:**

SECTION 1. Section 161.01(i) of the Codified Ordinances of the City titled DECLARATION OF NUISANCES is hereby amended to read as follows (new material appears like THIS and deleted material appears like ~~this~~):

161.01 DECLARATION OF NUISANCES.

The following activities occurring either on residential or commercial property, and engaged in by an owner, occupant or invitee of the owner or occupant of the property, or within 300 feet from the property line of any residential or commercial property, and engaged in by the owner, occupant or invitee of the owner of the property, are hereby declared to be public nuisances:

- (a) Any animal violations under Chapter 618 of the Codified Ordinances;
- (b) Any disorderly conduct, disturbance of the peace or other violation of Chapter 648 of the Codified Ordinances;
- (c) Any drug abuse violation under Chapter 624 of the Codified Ordinances;
- (d) Any gambling violation under Chapter 630 of the Codified Ordinances;
- (e) Any safety, sanitation or health violation under Chapter 660 of the Codified Ordinances;
- (f) Any obstruction of official business violation under Sections 606.14 or 606.15 of the Codified Ordinances;
- (g) Any alcohol violations under Chapter 612 of the Codified Ordinances;
- (h) Any sex offenses under Chapter 666 of the Codified Ordinances;
- (i) Any offense against another person under Chapter 636 of the Codified Ordinances, WITH THE EXCEPTION OF DOMESTIC VIOLENCE CHARGED PURSUANT TO SECTION 636.17;
- (j) Any offense against property under Chapter 642 of the Codified Ordinances;
- (k) Any weapons, explosives, firearm or handgun violation under Chapters 672 of the Codified Ordinances;
- (l) Any noise violation under any Section of the Codified Ordinances.

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to approve the aforesaid amendment immediately in order to clarify the intent of the Ordinance. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: February 20, 2017

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on March 2, 2017 and March 9, 2017.

Clerk of Council

First Reading: February 20, 2017

Second Reading: Suspended

Third Reading: Suspended

Passed 2-20-2017