

**RESOLUTION NO. 2016-6
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION DEMANDING THAT THE CLEVELAND
PLAIN DEALER AND CLEVELAND.COM IMMEDIATELY
STOP LITTERING PUBLIC PROPERTY WITH THE “SHOP
CLE” WEEKLY CIRCULAR, REQUESTING THAT THE
CLEVELAND PLAIN DEALER BEGIN MAILING THE
CIRCULAR TO HOMES IN THE CITY OF LYNDHURST AS
HAS BEEN DONE IN CLEVELAND HEIGHTS AND
NEWBURGH HEIGHTS, AND DECLARING AN EMERGENCY**

WHEREAS, the Cleveland Plain Dealer and Cleveland.com have started to provide a “weekly circular” of advertisements and promotions known as “shopCLE” which is placed in plastic bags and carelessly tossed along the City’s roadways, sidewalks, driveways and tree lawns; and

WHEREAS, this weekly circular is really a collection of unsolicited advertisements and promotions which profit the Cleveland Plain Dealer and Cleveland.com; and

WHEREAS, the careless tossing of these advertisements violates this City’s Littering Ordinances, Sections 432.40 and 660.03 of the Codified Ordinances, and is a public nuisance in accordance with the City’s Building and Housing Code; and

WHEREAS, the plastic bags containing the advertisements are thrown all over the neighborhoods, and pose serious hazards to wildlife, human health and the environment; and

WHEREAS, this Council has received numerous complaints from residents regarding the littering of neighborhoods with these advertisements encased in plastic bags; and

WHEREAS, at least two Cleveland suburbs have complained to the Cleveland Plain Dealer and have negotiated that the advertisements will be mailed instead of dumped onto the public right-of-way. Now, therefore,

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

SECTION 1. This Council demands the Cleveland Plain Dealer and Cleveland.com to immediately stop littering public property with the “shopCLE” weekly circular, and requests that the Cleveland Plain Dealer begin mailing the circular to homes in the City of Lyndhurst as has been done in the City of Cleveland Heights and Newburgh Heights Village.

SECTION 2. The Clerk of Council is hereby directed to transmit copies of this Resolution to the Plain Dealer Depot Manager in charge of shopCLE distribution, Cathy McBride, to Plain Dealer Director of Planning and Project Management, Chris Chimes, and to Sara Dorn, the local reporter for Cleveland.com.

SECTION 3. 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.

PASSED: January 18, 2016

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 Resolution 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 January 29, 2016 and February 4, 2016.

Clerk of Council

First Reading: January 18, 2016

Second Reading: Suspended

Third Reading: Suspended

Passed 1-18-2016