

## ORDINANCE NO. 33-26

BY: **DEBORAH LIME, ALLAN DIVIS, KELLY ZACHARIAS**  
(By Request - Service Director)

AN ORDINANCE TO AMEND SECTION 1527.01  
"DEFINITION OF PUBLIC NUISANCE" OF THE CODIFIED  
ORDINANCES OF THE CITY OF PARMA, AND DECLARING  
AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Section 1527.01 "Definition of Public Nuisance" within Chapter 1527 "Unsafe Buildings and Premises" of the Codified Ordinances of the City of Parma, which presently reads as follows:

1527.01 DEFINITION OF PUBLIC NUISANCE.

As used in this chapter, a "public nuisance" means any fence, wall, shed, house, building, structure or any part of any of the aforesaid, or any tree, pole or smokestack, or any excavation, basement, cellar, sidewalk, subspace, dock, wharf or landing dock, which, in its entirety or in any part thereof, by reason of the condition in which the same is permitted to be or remain, shall or may endanger the health, life, limb or property of or cause any hurt, harm, inconvenience, discomfort, damage or injury to, any person in the City in any one or more of the following particulars:

- (a) By reason of being a nuisance to the general health of the community;
- (b) By reason of being a fire hazard;
- (c) By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid premises;
- (d) By reason of being a nuisance because of long continued vacancy, lack of reasonable or adequate maintenance of a structure and/or premises adjacent thereto, thereby depreciating the enjoyment and use of property in the immediate vicinity to such an extent that it is harmful to the community in which such structure is situated.

Is hereby amended to read as follows, with deletions shown in crossed out text:

1527.01 DEFINITION OF PUBLIC NUISANCE.

As used in this chapter, a "public nuisance" means any fence, wall, shed, house, building, structure or any part of any of the aforesaid, or any tree, pole or smokestack, or any excavation, basement, cellar, ~~siderwalk~~, subspace, dock, wharf or landing dock, which, in its entirety or in any part thereof, by reason of the condition in which the same is permitted to be or remain, shall or may endanger the health, life, limb or property of or cause any hurt, harm, inconvenience, discomfort, damage or injury to, any person in the City in any one or more of the following particulars:

- (a) By reason of being a nuisance to the general health of the community;
- (b) By reason of being a fire hazard;

- (c) By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid premises;
- (d) By reason of being a nuisance because of long continued vacancy, lack of reasonable or adequate maintenance of a structure and/or premises adjacent thereto, thereby depreciating the enjoyment and use of property in the immediate vicinity to such an extent that it is harmful to the community in which such structure is situated.

Section 2. That only that portion of Section 1527.01 "Definition of Public Nuisance" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed and replaced.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary to align the City's regulatory provisions on sidewalk maintenance, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
 CLERK OF COUNCIL

FILED WITH THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO