

## ORDINANCE NO. 2454

### **AN ORDINANCE AMENDING SECTION 339.08 OF THE CODIFIED ORDINANCES OF SHEFFIELD VILLAGE, OHIO AND ADOPTING NEW REGULATIONS CONTROLLING THE DUMPING OF MUD AND DEBRIS ON PUBLIC PROPERTY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Codified Ordinance Section 339.08 of the Village of Sheffield dealing with loads dropping, leaking or tracking mud is currently a statement of Ohio Revised Code sections where no ordinance has been previously passed; and

**WHEREAS**, it is the intention of the Council of the Village of Sheffield to amend Section 339.08.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Sheffield, in the County of Lorain, and the State of Ohio, that:

Section 1. Codified Ordinance Section 339.08(c) which currently reads as follows is hereby repealed in its entirety:

"(c) No person shall operate any vehicle so as to track or drop mud, stones, gravel or other similar material on any street, highway or other public place."

Section 2. Codified Ordinance Section 339.08(c), is hereby amended by adopting the following new language as Section 339.08(c):

"(c) No person shall operate on any street a vehicle with mud, dirt or debris on its wheels and other parts, if such operation results in depositing or tracking mud, dirt or debris on the street or sidewalk, and no owner of real property or contractor in charge of a construction site shall maintain such property or construction site so that vehicles upon such property or construction site pick up mud, dirt or debris on their wheels or other parts and deposit or track the mud, dirt or debris onto the street or sidewalk."

Section 3. Codified Ordinance Section 339.08(d) currently reads as follows:

"(d) It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, gravel or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street, highway or other public place to immediately remove the same or cause it to be removed."

Section 4. Codified Ordinance Section 339.08(d), is hereby amended by adding the following new language to the end of Section 339.08(d):

"In the event the vehicle operator, owner or contractor causes or permits the littering of streets or sidewalks with mud, dirt or debris and fails to clean and/or remove such debris or is unable to remove such materials, then such cleaning services shall be rendered by the Sheffield Village's Service Department at the prevailing current hourly rates for its equipment and personnel. The Service Department, through the Service Director, shall render the bill for such services to the violator."

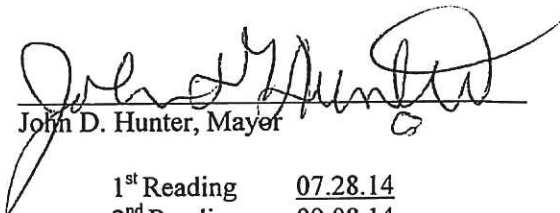
Section 5. That all ordinances or parts thereof inconsistent with the terms and provisions of this Ordinance be, and the same hereby are, amended.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that results in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to amend Codified Ordinance Section 339.08 regarding loads dropping or tracking mud and for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Sheffield; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED 9.22.14

  
Timothy J. Peleie, Clerk-Treasurer

  
John D. Hunter, Mayor

Approved as to form:

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Thomas J. Smith  
SOLICITOR

1 <sup>st</sup> Reading	<u>07.28.14</u>
2 <sup>nd</sup> Reading	<u>09.08.14</u>
3 <sup>rd</sup> Reading	<u>09.22.14</u>