

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11090-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
ENACTING CHAPTER 1360 OF THE BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'ADMINISTRATION OF CHAPTER 1361,'
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
BROOK PARK, STATE OF OHIO, THAT:

SECTION 1: The Brook Park codified ordinances shall be
supplemented by enacting a new chapter 1360, entitled "property
maintenance code" is hereby enacted to read as follows:

1360 PROPERTY MAINTENANCE CODE-ADMINISTRATION.

1360.01 TITLE.

These Regulations shall be known as the property maintenance code
for the city of Brook Park, hereinafter referred to as "this code."

1360.02 SCOPE.

The provisions of this code shall apply to all existing residential
and nonresidential structures and all existing premises and
constitute minimum requirements and standards for premises,
structures, equipment and facilities for light, ventilation, space,
heating, sanitation, protection from the elements, life safety,
safety from fire and other hazards, and for safe and sanitary
maintenance; the responsibility of owners, operators and occupants;
the occupancy of existing structures and premises, and for
administration enforcement and penalties.

1360.03 INTENT.

This code shall be construed to secure its expressed intent, which
is to ensure public health safety and welfare in so far as they are
affected by the continued occupancy and maintenance of structures
and premises. Existing structures and premises that do not comply
with these provisions shall be altered or repaired to provide a
minimum level of health/safety required herein.

1360.04 SEVERABILITY.

If a section, subsection, sentence, clause or phrase of this code

is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

APPLICABILITY.

1360.05 GENERAL.

The provision of this code shall apply to all matters affecting or relating to structures or premises, as set forth in section 1360.02. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

1360.06 MAINTENANCE.

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or disconnected from any occupied dwelling, except for such temporary interruption as necessary while repairs or alteration are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or owners' designated agent shall be responsible for the maintenance of buildings, structures, and premises.

1360.07 APPLICATION OF OTHER CODES.

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the (Ohio Building Codes 2017) nothing in this code shall be construed to cancel, modify or set aside any provision of this code.

1360.08 EXISTING REMEDIES.

The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

1360.09 WORKMANSHIP.

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with applicable codes or the manufacturer's installation instructions.

1360.10 HISTORIC BUILDINGS.

The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

1360.11 REFERENCED CODES AND STANDARDS.

The codes and standards referenced in this code shall be those that are listed in chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between this code and the referenced standards, the provisions of this code shall apply.

1360.12 REQUIREMENTS NOT COVERED BY CODE.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

DUTIES AND POWERS OF THE CODE OFFICIAL.

1360.13 GENERAL.

The code official shall enforce the provisions of this code.

1360.14 RULE MAKING AUTHORITY.

The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climactic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

1360.15 INSPECTIONS.

The code official shall make all the required inspections, or shall accept reports of inspections by other approved agencies or individuals. All reports of such inspection shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

1360.16 RIGHT OF ENTRY.

The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable search and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

1360.17 IDENTIFICATION.

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

1360.18 NOTICES AND ORDERS.

The code official shall issue all necessary notices and orders to ensure compliance with this code.

1360.19 DEPARTMENT RECORDS.

The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained according to the city of Brook Park record retention policy.

APPROVAL.

1360.20 MODIFICATIONS.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided that the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

1360.21 ALTERNATIVE MATERIALS, METHODS AND EQUIPMENT.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provide that any such material has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent and provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the

equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

1360.22 REQUIRED TESTING.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

1360.23 TEST METHODS.

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved test agency.

1360.24 TEST REPORTS.

Reports of tests shall be retained by the code official for the period required for the retention of public records.

1360.25 MATERIAL AND EQUIPMENT REUSE.

Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

VIOLATIONS.

1360.26 UNLAWFUL ACTS.

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

1360.27 NOTICE OF VIOLATION.

The code official shall serve a notice of violation or order in accordance with Section 1360.31-1360.33

1360.28 PROSECUTION OF VIOLATION.

Any person failing to comply with a notice of violation or order served in accordance with section 1360.32 through 1360.33 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law

or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order of direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

1360.29 VIOLATION PENALTIES.

Any person who shall violate the provisions of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the lines provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

1360.30 ABATEMENT OF VIOLATION.

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to, restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

NOTICES AND ORDERS.

1360.31 NOTICE TO PERSON RESPONSIBLE.

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in section 1360.32 and 1360.33 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with section 1360.42

1360.32 FORM.

Such notice prescribed in section 1360.31 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and what the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance

with section 1360.28

1360.33 METHOD OF SERVICE.

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

1360.34 PENALTIES.

Penalties for noncompliance with orders and notice shall be set forth in section 1360.29

1360.35 TRANSFER OF OWNERSHIP.

It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

UNSAFE STRUCTURES AND EQUIPMENT.

1360.36 GENERAL.

When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structures shall be condemned pursuant to the provisions of this code.

1360.37 UNSAFE STRUCTURES.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or

warn occupants in the event of fire, or because such structure contains unsafe equipment or is damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

1360.38 UNSAFE EQUIPMENT.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such a equipment is a Hazard To Life, Health, property or safety of the public or occupants of the premises or structure.

1360.39 STRUCTURES UNFIT FOR HUMAN OCCUPANCY.

Any structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is in sanitary, vermin or rat-infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

1360.40 UNLAWFUL STRUCTURE.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

1360.41 CLOSING VACANT STRUCTURES.

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

1360.42 NOTICE.

Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 1360.33 If

the notice pertains to equipment, it should also be placed on The Condemned equipment. The notice shall be in the form prescribed in section 1360.32.

1360.43 PLACARD.

Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word quote condemned and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

1360.44 PLACARD REMOVAL.

The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were placed have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

1360.45 PROHIBITED OCCUPANCY.

Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placard equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placard equipment shall be liable for the penalties provided by this code.

EMERGENCY MEASURES.

1360.46 IMMINENT DANGER.

When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangered life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in proximity of any structure because of explosive, explosive fumes or vapors or the presence of toxic fumes, gases or materials or operation of defective or dangerous equipment, the code official is hereby authorize and empowered to order the required occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows colon this structure is unsafe and its occupancy has been prohibited by the code official. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

1360.47 TEMPORARY SAFEGUARDS.

Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily unsafe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

1360.48 CLOSING STREETS.

When necessary for public safety, the code officials shall temporarily close structures and/or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibited the same from being utilized.

1360.49 EMERGENCY REPAIRS.

For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

1360.50 COSTS OF EMERGENCY REPAIRS.

Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

1360.51 HEARING.

Any person ordered to take emergency measures shall comply with such order forthwith. And the affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

DEMOLITION.

1360.52 GENERAL.

The code official shall order the owner of any promises upon which is located any structure, which in the code officials judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction

of any structure for a period of more than two years, to demolish and remove such structure.

1360.53 NOTICES AND ORDERS.

All notices in and orders shall comply with Section 1360.32 through 1360.33.

1360.54 FAILURE TO COMPLY.

If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

1360.55 SALVAGE MATERIALS.

When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell these salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled there to, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

MEANS OF APPEAL

1360.56 APPLICATION FOR APPEAL.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of zoning appeals, provided that a written application for appeal is filed within 20 days after the day of the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

DEFINITIONS

1360.57

The following terms wherever used herein or referred to in this

Property Maintenance Code shall have the respective meanings assigned to them unless a different meaning clearly appears from the context.

(1) **ACCESSORY STRUCTURE.**

"Accessory structure" means a structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

(2) **APPROVED.**

Approved by the code official.

(3) **BASEMENT.**

That portion of a building which is partly or completely below grade.

(4) **BATHROOM.**

A room containing plumbing fixtures including a bathtub or shower.

(5) **BEDROOM.**

Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

(6) **CODE OFFICIAL.**

The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

(7) **CONDEMN.**

To adjudge unfit for Occupancy.

(8) **DWELLING UNIT.**

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(9) **EASEMENT.**

That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

(10) **EXTERIOR PROPERTY.**

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

(11) **EXTERMINATION.**

The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible material that serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

(12) **GARBAGE.**

The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

(13) **GUARD.**

A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

(14) **HABITABLE SPACE.**

Space in a structure for living, sleeping, eating or cooking. bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

(15) **HOUSEKEEPING UNIT.**

A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

(16) **IMMINENT DANGER.**

A condition which could cause serious or life-threatening injury or death at any time.

(17) **INFESTATION.**

The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

(18) **INOPERABLE MOTOR VEHICLE.**

A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

(19) **LABELED.**

Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains a periodic inspection of the of the above-labeled items and but whose label the manufacturer attests to compliance with applicable nationally recognized standards.

(20) **LET FOR OCCUPANCY OR LET.**

To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise, or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

(21) **OCCUPANCY.**

The purpose for which a building or portion thereof is utilized or occupied.

(22) **OCCUPANT.**

Any individual living or sleeping in a building, or having possession of a space within a building.

(23) **OPENABLE AREA.**

The part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

(24) **OPERATOR.**

Any person who has charge, care, control of a structure or premises which is let or offered for occupancy.

(25) **OWNER.**

Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executive or administrator of the estate of such person if ordered to take possession of real property by a court.

(26) **PERSON.**

An individual, corporation, partnership or any other group acting as a unit.

(27) **PREMISES.**

A lot, plot or parcel of land, easement or public way, including any structures thereon.

(28) **PUBLIC WAY.**

Any street alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for use.

(29) **ROOMING HOUSE.**

A building arranged or occupied for lodging, with or without meals, for compensation, and not occupied as a one- or two- family dwelling.

(30) **ROOMING UNIT.**

Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

(31) **RUBBISH.**

Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

(32) **SLEEPING UNIT.**

A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or cooking facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

(33) **STRICT LIABILITY OFFENSE.**

A defense in which the prosecution in a legal proceeding is not required to provide criminal intent as a part of its case. It is

enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

(34) **STRUCTURE.**

That which is built or constructed or a portion thereof.

(35) **TENANT.**

A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

(36) **TOILET ROOM.**

A room containing a water closet or urinal but not a bathtub or shower.

(37) **VENTILATION.**

The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

(38) **WORKMANLIKE.**

Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

(39) **YARD.**

An open space on the same lot with a structure.

1360.99 PENALTY.

(a) Whoever violates or fails to comply with any of the provisions of this chapter including any provision of the Property Maintenance Code is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

(b) The application of the penalty provided in subsection (a) hereof shall not be deemed to prevent the enforced removal of prohibited conditions, or the application of any other equitable remedy.

SECTION 2: 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 this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3 This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public

peace, health, safety and welfare of said City, and to enact Chapter 1360 of the Park Codified Ordinances; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: May 21, 2019

Mark R. Vecchio
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: [Signature]
MAYOR

5/22/19
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution

No. 11190-2019
passed on the 21st day of May
2019 by said council.

Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Rupie Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing May 28, 2019
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>