

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 9950-2014

P/C  
CA 12/16/14 amended  
1st R 12/23/14 Sp. Council  
2nd R 12/27/14 Sp. Council  
3rd R \_\_\_\_\_  
P/C \_\_\_\_\_

INTRODUCED BY: COUNCILMAN SALVATORE and Council Members Mencini, Higgins, Burgio, D'Amico, Troyer Council President Patten and Mayor Coyne

AN ORDINANCE  
ENACTING CHAPTER 741 OF THE  
BROOK PARK CODIFIED ORDINANCES,  
ENTITLED 'SNOW REMOVAL CONTRACTORS,'  
AND DECLARING AN EMERGENCY

WHEREAS, residents of our City are now in need of hiring contractors for snow removal; and

WHEREAS, this Council and Mayor are desirous of enacting a new Chapter of the Brook Park Codified Ordinances entitled "Snow Removal Contractors" to establish regulations for those individuals and/or companies in the business of snow removal from a personal residence or business; and

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 Chapter 741 entitled "Snow Removal Contractors" is hereby enacted to read as follows:

**741 SNOW REMOVAL CONTRACTORS**

**741.01 DEFINITIONS.**

"Private snow removal firms or individuals" means any person, company, firm or corporation who engages in the act of removing, pushing or plowing snow from property other than the personal residence or business of such person, company, firm or corporation.

**741.02 REGISTRATION.**

A. All private snow removal firms and individuals shall register annually with the office of the Building Commissioner in accord with the provisions of Section 741.05 prior to removing, pushing or plowing snow from any private or public property located within the City. Such registration will expire annually on June 1 of each year.

B. No private snow removal firm or individual shall engage in the act of removing, pushing or plowing snow from any private or public property located within the City without first having

registered with the office of the Building Commissioner as required by this section.

**741.03 EXCLUSIONS.**

The provisions and requirements of this chapter shall not apply to:

A. Individuals or firms using snow shovels, snow blowers or small lawn or garden tractors; or

B. Individuals or firms using any type of snow removal equipment for the removal or plowing of snow from their own personal residences or business premises.

C. Individuals or firms using any type of snow removal equipment for the removal of snow from the personal residence of another in which they do not receive any compensation.

**741.04 ISSUANCE OF LICENSE.**

The Building Commissioner shall issue annual sticker registration tags to all private snow removal firms and individuals who comply with the requirements set forth in section 741.05.

**741.05 REGISTRATION PROCEDURE.**

The Building Commissioner shall register and issue sticker registration tags to all private snow removal firms or individuals who:

A. Complete an application form prescribed by the Building Commissioner for the registration of private snow removal firms or individuals;

B. Pay a registration fee of ten dollars (\$10.00) per year for each vehicle which sticker registration tags are to be issued;

C. Demonstrate proof of liability insurance with limits in the amount of fifty thousand dollars (\$50,000) per person and one hundred thousand dollars (\$100,000) per occurrence for bodily injury and fifty thousand dollars (\$50,000) property damage liability.

**741.06 DISPLAY OF TAGS.**

All private snow removal firms or individuals shall prominently display, on each vehicle used in snow removal or plowing, a current registration tag issued by the Building Commissioner at all times while such vehicle is engaged in removal, pushing, or plowing of snow on private property.

**741.07 DEPOSIT OF SNOW AND/OR ICE.**

A. No private snow removal firms or individuals while in the process of snow plowing or removal of snow shall deposit or cause to be deposited any snow and/or ice that would obstruct, hinder, block or cause damage to any public or private road, right of way, crosswalk, sidewalk, driveway or fire hydrant.

B. City or state snow plow operations are exempt from this Section.

C. In addition to the penalty provided in this Chapter, whoever violates this Section shall forfeit any license issued pursuant to this chapter.

**741.99 PENALTY.**

Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of a first degree misdemeanor.

**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 public peace, health, safety and welfare of said City, and for the further reason to enact Chapter 741 of the Brook 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: December 29, 2014

Dennis LaBatten  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR  
12/29/2014  
DATE

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

\_\_\_\_\_  
**DIRECTOR OF LAW**

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 5101 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 1520 Smith Road, #2 Fire Station 22500 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 3165 Engle Road, for a period of fifteen days.

**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. 9950-2014

passed on the 29th day of December 20 14 by said council.

Michelle Blazak  
Clerk of Council

commencing December 30, 2014  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council