

**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
JANUARY 19, 2016
7:30 P.M.**

The Regular Meetings of Lakewood City Council shall be held on the first and third Mondays of each month at 7:30 P.M., except that when such meeting date falls on a holiday such meeting shall instead be held on the following day. A Docket and Agenda of the business proposed to be transacted by Council will be available in the Clerk's Office and on the City's website www.onelakewood.com as soon after 4 PM on the Friday before a Council meeting as possible.

Section 121.08 of the Codified Ordinances of the City of Lakewood establishes rules for the public to follow when speaking before Council:

ADDRESSING COUNCIL – The President may recognize any non-member for addressing Council on any question then pending. In such cases, the person recognized shall address the chair, state his or her name and address and the subject matter he or she desires to discuss. Speakers must be courteous in their language and avoid personalities. When addressed by the Chair, the speaker must yield the floor and comply with all rulings of the chair, said rulings not being open to debate. Except with permission of Council specifically given, speakers shall be limited to five minutes. No person who has had the floor shall again be recognized until all others desiring an opportunity to speak have been given an opportunity to do so.

AGENDA ITEMS PROTOCOL:

The Clerk at the beginning of the meeting will present the AGENDA ITEMS sign-in sheet to the President of Council. Speakers will be called to address Council by the Chair. A citizen must first write his or her name, address and agenda item number on the designated sign-in sheet in order to be recognized.

PUBLIC COMMENT PROTOCOL:

The clerk at the end of the meeting will present the PUBLIC COMMENT sign-in sheet to the President of Council. Public Comment will be welcomed at the end of a Council Meeting on miscellaneous issues or issues other than agenda items. A citizen must first write his or her name, address and topic on the designated sign-in sheet in order to be recognized. The forum is not designed to be a question and answer session.

- I. Pledge of Allegiance
- II. Moment of Silence
- III. Roll Call
Reading & disposal of the minutes of the Regular Meeting of Council held December 21, 2015.(deferred)
Reading and disposal of the minutes of the Regular Meeting of Council held January 4, 2016.
Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

****OLD BUSINESS****

1. Committee of the Whole Report regarding January 19, 2016 Committee Meeting. (To Be Provided)
2. **RESOLUTION NO. 8840-16** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing _____ to a position on the Civil Service Commission for the term beginning January 1, 2016 and ending December 31, 2018. (REFERRED TO THE COMMITTEE OF THE WHOLE 1/4/16) (Pg. 5)
3. **RESOLUTION NO. 8841-16** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing _____ to the Board of Nuisance Abatement Appeals for the three-year term beginning January 1, 2016 and ending December 31, 2018. (REFERRED TO THE COMMITTEE OF THE WHOLE 1/4/16) (Pg. 6)
4. **RESOLUTION NO. 8846-16** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee to enter into an agreement with Roundstone Management, Ltd or its designee for an economic development loan for a four 94) year loan in an amount of Fifty Thousand Dollars (\$50,000.00) (REFERRED TO THE COMMITTEE OF THE WHOLE 1/4/16) (Pg. 7)

****NEW BUSINESS****

5. Communication from Council President O'Leary regarding Council Committee Assignments. (Pg. 10)
6. Communication from Councilmember Anderson regarding Changing Council Meeting from first and third to second and fourth Mondays of each month. (Pg. 11)
7. Communication from Councilmember Marx regarding Animal Safety and Welfare Advisory Board. (Pg. 12)
8. Communication from Councilmember Marx regarding Backyard Hens Pilot Program. (Pg. 13)
9. Communication from Councilmember O'Malley regarding Amending chapters 516, 537, 142, 501 and 1327 – Equal Access to Employment, Housing, Public Accomodations and Education. (Pg. 14)

10. **ORDINANCE NO. 1-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to effect and be in force at the earliest period allowed by law, to amend certain provisions of Chapter 516, Chapter 537, Chapter 142, Chapter 501, and Chapter 1327 of the Codified Ordinances of the City of Lakewood, Ohio, to ensure that all persons within the City have equal access to employment, housing, public accommodations, and education. (Pg. 15)
11. Communication from Councilmember Bullock regarding Appointment of Lydia Saoirse Kelly to the Community Relations Advisory Commission. (Pg. 37)
12. Communication from Mayor Summers regarding recognizing two Heritage Advisory Board Members. (Pg. 38)
13. **RESOLUTION NO. 8847-16** – A RESOLUTION TO recognize and thank Marcia Moll and Heather Rudge for their collective 38 years of public service as members of the Lakewood Heritage Advisory Board. (LHAB) (Pg. 39)
14. Communication from Planning and Development Director Siley regarding Modifications to Lakewood's Sign Ordinance (Chapter 1329). (Pg. 41)
15. **ORDINANCE NO. 2-16** – AN ORDINANCE to amend various sections within Chapter 1329, Signs, of the Codified Ordinances of the City of Lakewood and other sign-related sections in order to update the code. (Pg. 42)
16. Communication from Planning and Development Director Siley regarding Changes to Chapter 1306.60, Exterior Electric and Fuel Burning Cooking Devices. (Pg. 79)
17. **ORDINANCE NO. 3-16** – AN ORDINANCE amending Section 1306.60 of the Codified Ordinances of the City of Lakewood by expanding on the regulations governing exterior electric and fuel-burning cooking devices. (Pg. 80)
18. Communication from Human Resources Director Yousefi regarding Deferred Compensation Plan Agreement. (Pg. 82)
19. **RESOLUTION NO. 8848-16** – A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the Director of Human Resources to enter into one or more agreement or renewal agreements with representatives of government-employee deferred compensation plans in order to continue to provide a wide array of options for employees participating in such plans. (Pg. 83)
20. Communication from Finance Director Pae regarding Amended Purchasing and Contracting Ordinance FY2016. (Pg. 85)

21. **ORDINANCE NO. 36-15A** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 36-15, adopted December 21, 2016, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2016 Appropriations Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 86)
22. Communication from Law Director Butler regarding Impounding and disposition of animals. (Pg. 92)
23. **ORDINANCE NO. 4-16** – AN ORDINANCE amending the Code to provide for the impounding and disposition of certain animals, and establishing related charges. (Pg. 93)
24. Liquor Permit application for D5 new type to Lindi Restaurants; 11850 Edgewater Drive, Unit 112. (Pg.96)
25. Liquor Permit application for C1 and C2 transfers to Lakewood Stop and Shop, 14235 from Eddie one Stop. (Pg. 97)

RESOLUTION NO. . . .

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing _____ to a position on the Civil Service Commission for the term beginning January 1, 2016 and ending December 31, 2018.

WHEREAS, the end of a term has caused a vacancy on the Civil Service Commission beginning January 1, 2016, in a seat occupied by a Council appointee, thus requiring an appointment to the commission; and

WHEREAS, Article XI, Section 1 of the Second Amended Charter of the City of Lakewood provides that Council shall appoint one elector of the City who is not an officeholder or employee of the City to the Civil Service Commission; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure and that it shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that the position to be occupied by this appointee is currently or soon to be vacant; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Council appoints _____ to a position on the Civil Service Commission for the term beginning January 1, 2016 and ending December 31, 2018.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five of members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

RESOLUTION NO.

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing _____ to the Board of Nuisance Abatement Appeals for the three-year term beginning January 1, 2016 and ending December 31, 2018.

WHEREAS, the end of a term has caused a vacancy on the Board of Nuisance Abatement Appeals beginning January 1, 2016, in a seat occupied by a Council appointee, thus requiring an appointment to the board; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure and that it shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that the position to be occupied by this appointee is currently or soon to be vacant; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD:

Section 1. Council appoints _____ to the Board of Nuisance Abatement Appeals for the three-year term beginning January 1, 2016 and ending December 31, 2018.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five of members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

RESOLUTION NO.

By:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee to enter into an agreement with Roundstone Management, Ltd or its designee for an economic development loan for a four (4) year loan in an amount of Fifty Thousand Dollars (\$50,000.00).

WHEREAS, the property located at 15422 Detroit Avenue has been vacant since 2009; and

WHEREAS, while the property remains structurally sound, it is in need of upgrades in order to bring it back to a productive use; and

WHEREAS, Roundstone Management, Ltd has entered into a purchase agreement with the current property owners of the above property in order to establish its business headquarters in Lakewood; and

WHEREAS, Roundstone Management, Ltd has requested assistance in order to complete a financial package to assist with the rehabilitation of the building, including the purchase and installation of building materials and infrastructure to make exterior and interior building repairs and renovations to the property located at 15422 Detroit Avenue (312-14-101) and will invest an excess of \$400,000 of other funds into the rehabilitation of the site; and

WHEREAS, The city's funding will be used for improvements to the building and the site, recognizing this as an opportunity to help protect the property, and secure the long term stability of one of Lakewood's original structures along Detroit Avenue; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that this agreement is necessary to provide assistance to Roundstone Management, Ltd in order for it to secure funding to close on the purchase agreement for the property located at 15422 Detroit Avenue; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That the Mayor or his designee is hereby authorized and directed to enter into an agreement with Roundstone Management, Ltd. or its designee for an economic development loan for a four (4) year loan in an amount of Fifty Thousand Dollars (\$50,000.00) toward the redevelopment of the property located at 15422 Detroit Avenue, Lakewood, OH 44107 (Permanent Parcel 312-14-101); said agreement to contain such terms and conditions as deemed necessary by the Director of Law to protect the public interest and in substantially the same form as attached as "Exhibit A."

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such

deliberations of this Council and any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk of Council

Approved: _____

Mayor

Exhibit A
(To be Provided)



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650
www.onelakewood.com
Lakewood City Council
SAMUEL T. O'LEARY, PRESIDENT
DAVID ANDERSON, VICE PRESIDENT

Council at Large
RYAN P. NOWLIN
THOMAS R. BULLOCK III
CINDY MARX

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DANIEL J. O'MALLEY, WARD 4

January 14, 2016

Pursuant to Chapter 121.04 of the Codified Ordinances, appointments of Chairpersons and members to the Standing Committees of Lakewood City Council are as follows:

Standing Committee	Chair	Members
Housing	David Anderson	Dan O'Malley, Cindy Marx
Public Safety	Dan O'Malley	John Litten, Tom Bullock
Finance	Tom Bullock	Ryan Nowlin, Dan O'Malley
Public Works	Ryan Nowlin	David Anderson, Tom Bullock
Rules & Ordinances	John Litten	Ryan Nowlin, Cindy Marx
Health and Human Services	Cindy Marx	John Litten, David Anderson

I remain astounded at the breadth of talents possessed by this Council and am confident that the above-listed committees will adeptly engage any issue Lakewood faces in a collaborative and determined civic spirit.

Respectfully Submitted,

/s/ Sam O'Leary
President of Council - Ward 2
Committee of the Whole, Chair



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DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DANIEL J. O'MALLEY, WARD 4

January 11, 2016

Dear Colleagues:

During my five years of service on Lakewood City Council, I have initiated informal conversations with Council leadership over the possibility of altering this body's scheduled sessions from the first and third to the second and fourth Mondays of each month. Today, I offer this topic for formal Council consideration.

I have heard from individuals over the years that residents should not have to choose between attending Council or Board of Education sessions as these both occur on the same evenings and time. For some, this is a legitimate barrier to being as engaged in local government to the degree they wish to be.

However, I appreciate the possibility that amending the schedule regarding Council's sessions, while sounding easy, may, in fact, be complicated and would usher in a set of unintended negative consequences.

In the name of resident access to local government bodies and sessions, I ask that City Council engage the Administration to study the notion of changing Council's scheduled session meetings as well as the various processes and mechanics that would require adjustment as a result. I would anticipate this communication be addressed by the Committee of the Whole along with the Administration at a future meeting determined to provide ample time for thoughts to be gathered and shared.

Thank you, in advance, for your consideration.

Yours in service,

David W. Anderson
Member of Council – Ward 1
216-789-6463
David.Anderson@lakewoodoh.net



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Sam O'Leary, PRESIDENT
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CINDY MARX

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DAN O'MALLEY, WARD 4

January 13, 2016

Dear Colleagues,

The Animal Safety and Welfare Advisory Board seeks Council's permission to meet this year to finalize educational material regarding responsible pet ownership for distribution at appropriate venues in Lakewood. The Board also hopes to work on a partnership this year with Pet Fix who is willing to work with Lakewood pet owners to bring low cost spay/neuter services to our residents.

The Board also seeks Council's appointments before a meeting schedule can be posted and quorum reached for meetings.

Thank you for your consideration.

Sincerely,

Cindy Marx
Councilmember At-Large



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Sam O'Leary, PRESIDENT
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RYAN P. NOWLIN
THOMAS R. BULLOCK III
CINDY MARX

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DAN O'MALLEY, WARD 4

January 13, 2016

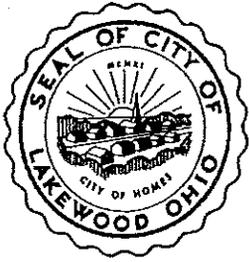
Dear Colleagues,

Twelve months have passed since the backyard hen keeping pilot program began its 18 month tenure. Now is the time for Council and the Administration to begin a conversation on the merits and/or pitfalls of backyard hen keeping in Lakewood. Members of Council, members of the administration that are impacted by the work involved with overseeing permits and regulations and families participating in the pilot program should be included in our conversation so we can make responsible decisions regarding the future of this program in Lakewood.

Thank you for your consideration.

Sincerely,

Cindy Marx
Councilmember At-Large



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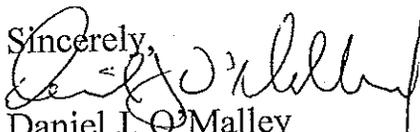
January 19, 2016

Lakewood City Council
Lakewood, OH 44107

Re: Amending chapters 516, 537, 142, 501 and 1327 – Equal Access to
Employment, Housing, Public Accommodations and Education

Dear Members of Council:

Chapter 121.17 of our Code automatically terminates committee referrals older than six months at the end of each term of Council. The attached ordinance just missed the deadline having had two readings by the June 15, 2015 Council Meeting. Therefore, I am re-introducing legislation for your review aimed at protecting the right and opportunity of all persons to be free from all forms of discrimination including discrimination based on age, race, color, creed, religion, national origin, ancestry, disability, marital status, veteran status, gender, gender identity or expression, sexual orientation, or physical characteristic.

Sincerely,

Daniel J. O'Malley
Councilmember, Ward 4

Attachment

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to effect and be in force at the earliest period allowed by law, to amend certain provisions of Chapter 516, Chapter 537, Chapter 142, Chapter 501, and Chapter 1327 of the Codified Ordinances of the City of Lakewood, Ohio, to ensure that all persons within the City have equal access to employment, housing, public accommodations, and education.

WHEREAS, it is the intent of the City Council, in enacting this ordinance, to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on age, race, color, creed, religion, national origin, ancestry, disability, marital status, gender, gender identity or expression, sexual orientation, or physical characteristic. The Council's purpose in enacting this ordinance is to promote the public health and welfare of all persons who live, work, or visit the City of Lakewood. It is important for the City of Lakewood to ensure that all persons within the city have equal access to employment, housing, public accommodations, and education.

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 516, Fair Housing, of the Lakewood Codified Ordinances, currently reading as follows:

516.01 POLICY.

It is hereby designated to be the continuing policy of the City to do all things necessary and proper to secure for all citizens their right to equal housing opportunities regardless of their race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin or gender identity or expression.

516.02 SCOPE.

The provisions of this chapter shall apply to all housing located within the territorial limits of the City.

516.03 DEFINITIONS.

As used in this chapter certain terms are defined as follows:

(a) "Director" means the Director of Community Development for the City of Lakewood or other Community Development Officer within the Department of Planning and Development.

(b) "Dwelling" means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

(c) "Family" includes a single individual.

(d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees in bankruptcy, receivers and fiduciaries. It also includes, but is not limited to any owner, leaver, assignor, builder, manager, broker, salesman, agent, employee, lending institution, and the City, the State and all authorities, agencies, boards and commissions thereof.

(e) "Discrimination" means to render any difference in treatment to any person in the sale, lease, rental or financing of a dwelling or housing unit because of a person's race, color, religion, sex, sexual orientation, ancestry, handicap, familial status or national origin.

(f) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupants.

(g) "Discriminatory housing practice" means any act that is unlawful as designated by this chapter.

(h) "Discrimination complaint service" means that service established by this chapter.

516.04 DISCRIMINATION IN SALE OR RENTAL OF HOUSING.

It shall be unlawful to:

(a) Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression.

(b) Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression.

(c) Make, print, publish or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion, gender, sexual orientation,

ancestry, handicap, familial status, national origin, or gender identity or expression.

(d) Represent to any person because of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression, that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by a representative regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression.

516.05 DISCRIMINATION IN FINANCING OF HOUSING.

It shall be unlawful to:

(a) Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing or otherwise withhold financing of housing from any persons because of the race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression of any present or prospective owner, occupant, or user of such housing provided such person whether an individual, corporation or association of any type, lends money as one of the principal aspects or incident to his principal business and not only as part of the purchase price of an owner-occupied residence he is selling nor merely casually or occasionally to a relative or friend.

(b) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing any housing or in furnishing facilities, services or privileges in connection with the ownership, occupancy, or use of any housing because of the race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression of any present or prospective owner, occupant or user of such housing.

(c) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing because of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression of any present or prospective owner, occupant, or user of such housing.

(d) Make any inquiry, elicit any information, make or keep any record or use any form of application containing questions or entries concerning race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression in connection with the sale or lease of any housing or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing.

516.06 DISCRIMINATION IN BROKERAGE SERVICES.

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service; organization or facility relating to the business of selling or renting dwellings or to discriminate against a person in the terms or conditions of such access, membership or participation, on account of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression.

516.07 ADMINISTRATION, DISCRIMINATION COMPLAINT SERVICE AND ENFORCEMENT.

(a) This chapter shall be administered by the Director of Community Development, and the Director shall also be responsible for the establishment and administration of a discrimination complaint service.

(b) The discrimination complaint service shall be available to any person who alleges that his rights have been denied relative to housing and/or financing for housing because of race, color, religion, gender, sexual orientation, ancestry, handicap, familial status, national origin, or gender identity or expression. (Ord. 79-10. Passed 12-20-10.)

(c) Any person who claims to have been subjected to a discriminatory housing practice shall file a complaint in writing within 180 days of the alleged violation with the Director. The complaint shall contain such information and will be in such form as the Director may require.

(d) If the Director determines that there are reasonable grounds to believe a violation has occurred, he shall attempt to conciliate the matter within five working days of the filing of the complaint by utilizing conciliation conferences with all interested parties and such representatives as the parties may choose to assist them. These conferences shall be informal, and nothing shall be made public by the Director regarding the conferences unless all parties agree thereto in writing. During this period the Director shall make such investigation as he deems appropriate.

(e) If the Community Development Director and the Law Director determine that the person complained against has violated this chapter, the Law Director shall prepare and issue a directive requiring that person to cease and desist from such unlawful conduct and within fifteen calendar days take such affirmative action as will effectuate the purpose of this chapter. If after the fifteenth day, the situation has not been rectified, the Director of Community Development shall initiate the proper legal action through the Law Department of the City or through the complainant's legal counsel, or the U. S. Department of Housing and Urban Development, whatever the Director deems appropriate.

(f) If at the conclusion of the informal hearing, the Director of Community Development and Law Director determine upon the preponderance of the evidence presented that the person complained against has not violated this chapter, the Director shall issue an order dismissing the complaint.

(g) The Director is advised to seek at any time the cooperation and aid of the U. S. Department of Housing and Urban Development and any other person or group regarding any matter before the Director as he deems appropriate.

516.08 OTHER LEGAL ACTIONS.

Nothing contained in this chapter shall prevent any person from exercising any right or seeking any remedy to which he or she might otherwise be entitled or from filing any complaint with any other agency or court of law.

516.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree.

shall be and hereby is repealed and new Chapter 516, Discrimination Prohibited, of the Lakewood Codified Ordinances, is enacted to read as follows:

516.01 DEFINITIONS

(a) "Advertising" means to make, print, publish, advertise or otherwise disseminate any notice, statement or advertisement, with respect to any employment activity, any business activity, or any educational activity.

(b) "Age" means 18 years of age or older except as otherwise provided by law.

(c) "Business Establishment" means any entity, however organized, which furnishes goods, services or accommodations to the general public. An otherwise qualifying establishment which has membership requirements is considered to furnish services to the general public if its membership requirements consist only of payment of fees or consist only of requirements under which a substantial portion of the residents of the city could qualify.

(d) "Disability" or "Disabled" means, with respect to an individual, a physical or mental impairment, a record of such an impairment, or being perceived or regarded as having such impairment. For purposes of this chapter discrimination on the basis of disability means that no covered entity shall discriminate against a qualified individual with a disability because of that individual's disability. The term "qualified individual with a disability" shall mean an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment positions that the individual holds or desires.

(e) "Discriminate, Discrimination or Discriminatory" means any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person's race, color, creed, religion, national origin, ancestry, disability, marital status, gender, gender identity or expression, sexual orientation, or physical characteristic.

(f) "Educational Institution" means any public or private educational institution including an academy, college, elementary or secondary school, extension course, kindergarten, pre-school, nursery school, university, and any business, nursing, professional, secretarial, technical or vocational school.

(g) "Employee" means any individual employed or seeking employment from an employer.

(h) "Employer" means any person who, for compensation, regularly employs five (5) or more individuals, not including the employer's parents, spouse or children. For purposes of this chapter an employer "regularly" employs five (5) individuals when the employer employs five or more individuals for each working day in any twenty (20) or more calendar weeks in the current or previous calendar year. For purposes of this chapter an "employer" is also any person acting on behalf of an employer, directly or indirectly, or any employment agency.

(i) "Gender" means actual or perceived sex.

(j) "Gender Identity or Expression" means having or being perceived as having a gender identity or expression whether or not that gender identity or expression is different from that traditionally associated with the sex assigned to that individual at birth.

(k) "Labor Organization" means any organization that exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection on behalf of employees.

(l) "Person" means a natural person, firm, corporation, partnership or other organization, association or group of persons however arranged.

(m) "Physical Characteristic" means a bodily condition or bodily characteristic of any person that is from birth, accident, or disease, or from any natural physical development, including individual physical mannerisms including but not limited to height and weight. Physical characteristic shall not relate to those situations where a bodily condition or characteristic will present a danger to the health, welfare or safety of any individual.

(n) "Place of public accommodation" means inns, taverns, hotels, motels, restaurants, wholesale outlets, retail outlets, banks, savings and loan associations, other financial institutions, credit information bureaus, insurance companies, dispensaries, clinics, hospitals, theaters, recreational parks and facilities, trailer camps, garages, public halls, and

all other establishments within the City which offers goods, services, accommodations and entertainment to the public. A place of public accommodation does not include any institution, club or other place of accommodation, which by its nature is distinctly private.

(o) "Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

(p) "Transaction in real estate" means the exhibiting, listing, advertising, negotiating, agreeing to transfer or transferring, whether by sale, lease, sublease, rent, assignment or other agreement, of any interest in real property or improvements thereon.

516.02 PROHIBITED ACTS OF DISCRIMINATION - EMPLOYMENT

With regard to employment, it shall be unlawful for any employers or labor organizations, to engage in any of the following acts, wholly or partially for a discriminatory reason:

(a) To fail to hire, refuse to hire or discharge an individual;

(b) To discriminate against any individual, with respect to compensation, terms, conditions, or privileges of employment, including promotion. Nothing in this section shall be construed to require any employer to provide benefits, such as insurance, to individuals not employed by the employer;

(c) To limit, segregate, or classify employees in any way which would deprive or tend to deprive any employee of employment opportunities, or which would otherwise tend to adversely affect his or her status as an employee;

(d) To fail or refuse to refer for employment any individual in such a manner that would deprive an individual of employment opportunities, that would limit an individual's employment opportunities or that would otherwise adversely affect an individual's status as a prospective employee or as an applicant for employment;

(e) To discriminate against an individual in admission to, or employment in, any program established to provide apprenticeship or other job training, including an on-the-job training program;

(f) To print or publish, or cause to be printed or published, any discriminatory notice or advertisement relating to employment. This subsection shall not be construed so as to expose the person who prints or publishes the notice or advertisement, such as a newspaper, to liability;

(g) To discriminate in referring an individual for employment whether the referral is by an employment agency, labor organization or any other person.

516.03 PROHIBITED ACTS OF DISCRIMINATION - HOUSING AND REAL ESTATE TRANSACTIONS

With regard to housing and real estate transactions, it shall be unlawful to engage in any of the following acts wholly or partially for a

discriminatory reason:

- (a) To discriminate by impeding, delaying, discouraging or otherwise limiting or restricting any transaction in real estate;
- (b) To discriminate by imposing different terms on a real estate transaction;
- (c) To represent falsely that an interest in real estate is not available for transaction;
- (d) To include in the terms or conditions of a real estate transaction any discriminatory clause, condition or restriction;
- (e) To discriminate in performing, or refusing to perform, any act necessary to determine an individual's financial ability to engage in a real estate transaction;
- (f) For a property manager to discriminate by refusing to provide equal treatment of, or services to, occupants of any real estate which he or she manages;
- (g) To make, print or publish, or cause to be made, printed or published any discriminatory notice, statement, or advertisement with respect to a real estate transaction or proposed real estate transaction, or financing relating thereto. This subsection shall not be construed to prohibit advertising directed to physically disabled persons or persons over the age of fifty-five for the purpose of calling to their attention the existence or absence of housing accommodations or services for the physically disabled or elderly;
- (h) To discriminate in any financial transaction involving real estate, on account of the location of the real estate be it residential or non-residential ("red-lining");
- (i) For a real estate operator, a real estate broker, a real estate salesperson, a financial institution, an employee of any of these, or any other person, for the purposes of inducing a real estate transaction from which such person may benefit financially to represent that a change has occurred or will or may occur in the composition with respect to age, race, color, creed, religion, national origin, ancestry, disability, marital status, gender, gender identity or expression, sexual orientation, or physical characteristic of the owners or occupants in the block, neighborhood or area in which the real property is located or to represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood or area in which the real property is located ("block-busting");
- (j) Notwithstanding the provisions of subsections (a) through (h), it shall not be an unlawful discriminatory practice for an owner to limit occupancy on the basis of a person's low-income, age over fifty-five (55) years or disability status in accordance with federal or state law;
- (k) Notwithstanding the provisions of subsections (a) through

(h), it shall not be an unlawful discriminatory practice for an owner, lessor or renter to refuse to rent, lease or sublease a portion of a single family dwelling unit to a person as a tenant, roomer or boarder where it is anticipated that the owner, lessor or renter will be occupying any portion of the single-family dwelling or to refuse to rent, lease or sublease where it is anticipated that the owner, lessor or renter will be sharing either a kitchen or a bathroom with the tenant, roomer or boarder.

516.04 PROHIBITED ACTS OF DISCRIMINATION – BUSINESS ESTABLISHMENTS OR PUBLIC ACCOMMODATIONS

It shall be unlawful for a business establishment or place of public accommodation to engage in any of the following acts wholly or partially for a discriminatory reason:

(a) To deny, directly or indirectly, any person the full enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any business establishment or place of public accommodation;

(b) To print, publish, circulate, post, or mail, directly or indirectly, a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a business establishment or place of public accommodation will be unlawfully refused, withheld from or denied an individual, or which indicates that an individual's patronage of, or presence at, the business establishment or place of public accommodation is objectionable, unwelcome, unacceptable or undesirable.

516.05 PROHIBITED ACTS OF DISCRIMINATION – EDUCATIONAL INSTITUTIONS

It shall be unlawful for an educational institution to engage in any of the following acts wholly or partially for a discriminatory reason:

(a) To deny, restrict, abridge or condition the use of, or access to, any educational facilities or educational services to any person otherwise qualified;

(b) Notwithstanding the provisions of subsection (a) it shall not be an unlawful discriminatory practice to limit attendance in classes or programs conducted by an educational institution based upon a reasonable educational objective, except where to do so would otherwise violate a duty imposed upon the institution by federal or state law to provide reasonable accommodation;

(c) Notwithstanding the provisions of subsection (a), it shall not be an unlawful discriminatory practice for an educational institution operated by a religious or denominational institution, or established for a bona fide religious purpose, to admit students or program attendees on the basis of that student's or attendee's religious or denominational affiliation or

preference.

516.06 CITY SERVICES, FACILITIES, TRANSACTIONS AND CONTRACTS

The City of Lakewood shall be bound by the provisions of this chapter to the same extent as private individuals. All contractors proposing to, or currently doing business with the City of Lakewood, shall abide by this ordinance.

516.07 GENERAL EXCEPTIONS

(a) Any practice which has a discriminatory effect and which would otherwise be prohibited by this chapter shall not be deemed unlawful if it can be established that the practice is not intentionally devised to contravene the prohibitions of this chapter and there exists no less discriminatory means of satisfying a business purpose.

(b) Unless otherwise prohibited by law, nothing contained in this chapter shall be construed to prohibit promotional activities such as senior citizen discounts and other similar practices designed primarily to encourage participation by protected group.

(c) It shall not be an unlawful discriminatory practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system such as a retirement, pension or insurance plan which is not a subterfuge or pretext to evade the purposes of this chapter.

(d) It shall not be an unlawful discriminatory practice for any person to carry out an affirmative action plan. An affirmative action plan is any plan devised to effectuate remedial or corrective action taken in response to past discriminatory practices, or as otherwise required by state or federal law.

(e) Nothing contained in this chapter shall be deemed to prohibit selection or rejection based solely upon a bona fide occupational qualification or a bona fide physical requirement. Nothing contained in this chapter shall be deemed to prohibit a religious or denominational institution from selecting or rejecting applicants and employees for non-secular positions on the basis of the applicant's or employee's conformance with the institution's religious or denominational principles. If a party asserts that an otherwise unlawful practice is justified as a permissible bona fide occupational qualification, or a permissible bona fide physical requirement, that party shall have the burden of proving:

(1) That the discrimination is in fact a necessary result of such a bona fide condition; and

(2) That there exists no less discriminatory means of satisfying the bona fide requirement.

(f) If a party asserts that an otherwise unlawful practice is justified as a permissible bona fide religious or denominational preference, that party shall have the burden of proving that the discrimination is in

fact a necessary result of such a bona fide condition.

516.08 POSTING OF NOTICES

Every employer or institution subject to this chapter shall post and keep posted in a conspicuous location where business or activity is customarily conducted or negotiated, a notice, the language and form of which has been prepared by the City of Lakewood, setting forth excerpts from or summaries of the pertinent provisions of this chapter and information pertinent to the enforcement of rights hereunder. The notice shall be in both English and Spanish. If over ten percent of an employer's employees speak, as their native language, a language other than English or Spanish, notices at that employer's place of business shall be posted in that language. At the request of the employer or institution, notices required by this section shall be provided by the City. Notices shall be posted within ten days after the receipt from the City.

516.09 CORRECTION OR RETALIATION

(a) It shall be an unlawful discriminatory practice to coerce, threaten, retaliate against or interfere with any person in the exercise of, or on account of having exercised, or on account of having aided or encouraged any other person in the exercise of, any right granted or protected under this ordinance, or on account of having expressed opposition to any practice prohibited by this ordinance.

(b) It shall be an unlawful discriminatory practice for any person to require, request, or suggest that a person retaliate against, interfere with, intimidate or discriminate against a person, because that person has opposed any practice made unlawful by this ordinance, or because that person has made a charge, or because that person has testified, assisted or participated in any manner in an investigation, proceeding or hearing authorized under this ordinance.

(c) It shall be an unlawful discriminatory practice for any person to cause or coerce, or attempt to cause or coerce, directly or indirectly, any person in order to prevent that person from complying with the provisions of this ordinance.

516.10 PRESERVATION OF BUSINESS RECORDS

Where a complaint of discrimination has been filed against a person under this ordinance, such person shall preserve all records relevant to the complaint, until a final disposition of the complaint.

516.11 HUMAN RIGHTS COMMISSION

(a) There is hereby created the City of Lakewood Human Rights Commission, hereafter referred to as "the Commission," to be comprised of fifteen (15) members who shall be broadly representative of the population of the city. On the basis of recommendations from any and all interested parties, including the city council, as well as ethnic, racial,

religious, neighborhood, civic, community, social, fraternal, educational, commercial and advocacy organizations, the mayor shall appoint the members of the Commission, subject to confirmation by a majority vote of the whole membership of the city council. Except for the initial appointees, the Commission members shall serve staggered three (3) year terms and may be reappointed for another three (3) year term after which the member shall not be reappointed for at least one (1) year. Of the initial members appointed, five (5) members shall be appointed for one (1) year, five (5) members shall be appointed for two (2) years, and five (5) shall be appointed for three (3) years. Every member shall have been a resident of the City of Lakewood for at least one (1) year prior to appointment and shall continue to be a resident so long as he or she shall serve as a member of the Commission. In the event of a vacancy a replacement will be chosen by the mayor and will serve out the remainder of the vacant term.

(b) The Commission shall elect its own chair and vice-chair by majority vote. The chair and vice-chair shall be voting members of the Commission and serve one-year terms. There shall be a three-term limit for officers. The Commission may create and modify rules regarding its meetings and procedures. The Commission may create and appoint task forces and committees it deems appropriate to carry out its functions. When appropriate for purposes of investigating and adjudicating complaints, cases will be assigned to panels consisting of three commission members. The Commission chair and vice-chair will appoint commissioners to panels and provide administrative oversight of panels; they will not serve on the panels. Each panel shall choose its own panel chair on a case-by-case basis.

(c) The work of the Commission shall be managed by an executive director, who shall be appointed by and serve at the pleasure of the Commission. The Commission shall employ such other persons as may be necessary to carry out its educational, administrative and investigative work.

(d) The responsibilities of the Commission staff, under the direction of the executive director, include managing Commission records and accounts, developing public education programs, providing training for Commission members, managing citizen complaints, seeking additional private-sector funding for the Commission, facilitating Commission scheduling and communication, and any other tasks needed to help the Commission perform its functions.

(e) In addition, the Commission may use the services of attorneys, hearing examiners, clerks and other employees and agents who are city government employees, except in those cases in which the city government is a party, and in which case the Commission may seek the city attorney's approval to engage appropriate counsel.

(f) In the enforcement of this chapter, the Commission and its panels shall have the following powers and duties:

(1) To receive, initiate, investigate, seek to conciliate, hold hearings on and pass upon complaints alleging violations of this chapter;

(2) To maintain an office in the City of Lakewood;

(3) To cooperate with relevant federal and state authorities;

(4) To present an annual report to the mayor and city council setting forth the number of complaints received during the prior year, as well as the disposition of the complaints, and the number of convictions for violation. The Commission shall publish this report and make it available in some format to the general public;

(5) To require answers to interrogatories, compel the attendance of witnesses, examine witnesses under oath or affirmation in person by deposition and require the production of documents relevant to the complaint. The Commission may make rules authorizing or designating any member or individual to exercise these powers in the performance of official duties;

(6) To cooperate with community, professional, civic and religious organizations, as well as state and federal agencies, in the development of public education programs regarding compliance with the provisions of this chapter and equal opportunity and treatment of all individuals;

(7) To conduct tests to ascertain the availability of housing, both in sales and also in rentals of real property;

(8) To prepare an annual budget to be presented to and approved by the City Council;

(9) To develop and maintain a website that provides information on this Chapter, grievance procedures, the Commission's Annual Report and any other information that would further the purposes and intentions of this Chapter.

516.12 COMPLAINTS – CONSIDERATION BY THE COMMISSION

(a) A person claiming to be aggrieved by a discriminatory practice, or a member of the Commission, may file with the Commission a written sworn complaint stating that a discriminatory practice has been committed, setting forth the facts sufficient to enable the Commission to identify the persons charged (hereinafter the respondent). Within ten (10) days after receipt of the complaint, the Commission shall serve on the complainant a notice acknowledging the filing of the complaint and informing the complainant of the respondent's time limits.

(b) The Commission shall, within ten (10) days of the filing of the complaint, furnish the respondent with a copy of the complaint and a notice advising the respondent of the respondent's procedural rights and obligations under this chapter.

(c) The complaint must be filed within one (1) year after the commission of the alleged discriminatory practice.

(d) The Commission shall commence an investigation of the complaint within thirty (30) days after the filing of the complaint. The Commission, or designee, shall promptly investigate the matter to determine whether the discriminatory practice exists.

(e) If it is determined that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall furnish a copy of the order to the complainant, the respondent and such public officers and persons as the Commission deems proper.

(f) The complainant, within thirty (30) days after receiving a copy of the order dismissing the complaint, may file with the Commission an application for reconsideration of the order.

(g) Upon such application, the chair or vice-chair of the Commission shall review the original investigation and make a determination within thirty (30) days whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice.

(h) If it is determined that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall issue an order dismissing the complaint after reconsideration and furnish a copy of the order to the complainant, the respondent and such public officers and persons as the Commission deems proper.

516.13 CONCILIATION AGREEMENTS

(a) If the Commission determines after investigation that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall endeavor to eliminate the alleged discriminatory practices by conference, conciliation and persuasion.

(b) The terms of a conciliation agreement reached with a respondent shall require the respondent to refrain from discriminatory practices in the future and shall make such further provisions as may be agreed upon between the Commission or its assigned staff and the respondent.

(c) If a conciliation agreement is entered into, the Commission shall issue and serve on the complainant an order stating its terms. A copy of the order shall be delivered to the respondent and such public officers and persons as the Commission deems proper.

(d) Except for the terms of the conciliation agreement, the Commission shall not make public, without the written consent of the complainant and the respondent, information concerning efforts in a particular case to eliminate discriminatory practice by conference, conciliation or persuasion, whether or not there is a determination of reasonable cause or a conciliation agreement. The conciliation agreement itself shall not be made public unless the complainant and the respondent

otherwise agree and the Commission also determines that disclosure is not required to further the purposes of this chapter.

(e) At the expiration of one (1) year from the date of a conciliation agreement, and at other times in its reasonable discretion, the Commission or its staff may investigate whether the respondent is following the terms of the agreement.

(f) If a finding is made that the respondent is not complying with the terms of the agreement, the Commission shall take such action as it deems appropriate to assure compliance.

(g) At any time after a complaint is filed, the Commission may file an action in a municipal court, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under the chapter, including an order or decree restraining such respondent from doing or procuring any act tending to render ineffectual any order the Commission may enter with respect to the complaint. The court has the power to grant such temporary relief or restraining order as it deems just and proper.

516.13 HEARINGS

(a) If a conciliation agreement has not been reached within ninety (90) days after an administrative determination of reasonable cause to believe that discrimination took place, the Commission shall serve on the respondent by mail or in person a written notice, together with a copy of the complaint as it may have been amended, or a copy of the letter of determination, requiring the respondent to answer the allegation(s) of the complaint at a hearing before the Commission or another individual pursuant to its rules, at a time and place specified by the hearing examiner or examiners after conference with the parties or their attorneys. A copy of the notice shall be furnished to the complainant and such public officers and persons as the Commission deems proper.

(b) A member of the Commission who filed the complaint or endeavored to eliminate the alleged discriminatory practice by conference, conciliation or persuasion shall not participate in the hearing or in the subsequent deliberation of the Commission.

(c) The respondent may file an answer with the Commission by registered or certified mail in accordance with the rules of the Commission before the hearing date. The respondent may amend an answer at any time prior to the issuance of an order based on the complaint, but no order shall be issued unless the respondent has had an opportunity of a hearing on the complaint or amendment on which the order is based.

(d) A respondent, who has filed an answer or whose default in answering has been set aside for good cause shown, may appear at the hearing with or without representation, may examine and cross-examine witnesses and the complainant and may offer evidence.

(e) The complainant and the complainant's private attorney, and, in the discretion of the Commission, any person may intervene, examine and cross-examine witnesses and present evidence.

(f) If the respondent fails to answer the complaint, the Commission may find the respondent in default. Unless the default is set aside for good cause shown, the hearing may proceed on the evidence in support of the complaint.

(g) Efforts at conference, conciliation and persuasion shall not be received in evidence.

(h) Testimony taken at the hearing shall be under oath and transcribed. If the testimony is not taken before the Commission, the record shall be transmitted to the Commission.

(i) In a proceeding under this chapter, the production of a written, printed or visual communication, advertisement or other form of publication, or a written inquiry, or record, or other document purporting to have been made by a person shall be prima facie evidence that it was authorized by the person.

(j) All hearings conducted under this section shall be conducted in accordance with Chapter 119 of the Ohio Revised Code.

516.14 FINDINGS AND ORDERS

(a) If the Commission determines that the respondent has not engaged in a discriminatory practice, the Commission shall state its findings of fact and conclusions of law and shall issue an order dismissing the complaint. A copy of the order shall be delivered to the complainant, the respondent and such public officers and persons as the Commission deems proper.

(b) If the Commission determines that the respondent has engaged in a discriminatory practice, the Commission shall state its findings of fact and conclusions of law and shall issue an order requiring the respondent to cease and desist from the discriminatory practice and to take such affirmative action as in the judgment of the Commission will carry out the purposes of this chapter. A copy of the order shall be delivered to the respondent, the complainant and to such public officers and persons as the Commission deems proper.

516.15 REMEDIES

(a) Affirmative action ordered under this section may include, but is not limited to:

(1) Hiring, reinstatement or upgrading of employees with or without back pay. Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable;

(2) Admission or restoration of individuals to union membership, admission to or participation in, a guidance program, apprenticeship, training program, on-the-job training program, or

other occupational training or retraining program, and the utilization of objective criteria in the admission of individuals to such programs;

(3) Admission of individuals to a place of public accommodation;

(4) The extension to all individuals of the full and equal enjoyment of the advantages, facilities, privileges and services of the respondent;

(5) Reporting as to the manner of compliance;

(6) Posting notices in conspicuous places in the respondent's place of business in the form prescribed by the Commission and inclusion of such notices in advertising material;

(7) Payment to the complainant of damages for an injury, including humiliation and embarrassment, caused by the discriminatory practice, and costs, including reasonable attorney fees;

(8) Payment to the Commission of a \$500 fine for each violation. Each day on which a continuing violation occurs shall constitute a new and separate violation of this ordinance. Fines collected pursuant to this section will be used to establish a fund to educate the community about nondiscrimination practices and to promote nondiscrimination in the City of Lakewood;

(9) Such other remedies as shall be necessary and proper to eliminate all the discrimination identified by the evidence submitted at the hearing or in the record.

(b) The Commission may publish, or cause to be published, the names of persons who have been determined to have engaged in a discriminatory practice.

516.16 JUDICIAL REVIEW

A complainant or respondent aggrieved by an order of the Commission, including an order dismissing a complaint or stating the terms of a conciliation agreement, may obtain judicial review, and the Commission may obtain an order of the court for enforcement of its order, in a proceeding brought in the municipal court. A proceeding under this section must be initiated within thirty (30) days after the Commission issued its order under Sec.516.14 of this Chapter.

516.17 SUBPOENAS

(a) Upon written application to the Commission, a party to a proceeding is entitled as of right to the issuance of subpoenas for deposition or hearing in the name of the Commission by an individual designated pursuant to its rules requiring attendance and the giving of testimony by witnesses and the production of documents.

(b) A subpoena so issued shall show on its face the name and address of the party at whose request the subpoena is directed.

(c) On petition of the person to whom the subpoena is directed and notice to the requesting party, the Commission or an individual designated pursuant to its rules may vacate or modify the subpoena.

(d) Any depositions of witnesses shall be taken as prescribed by the Ohio Rules of Civil Procedure.

(e) Witnesses whose depositions are taken, or who are summoned before the Commission or its agents, will be entitled to the same witness and mileage fees as are paid to the witnesses subpoenaed in municipal court.

(f) If a person fails to comply with a subpoena issued by the Commission, the municipal court may issue an order requiring compliance. In any proceeding brought under this section, the court may modify or set aside the subpoena.

516.18 RESISTANCE TO, OBSTRUCTION, ETC., OF COMMISSION

Any person who willfully resists, prevents, impedes or interferes with the Commission, its members, agents or agencies in the performance of duties pursuant to this Act, or violates any order of the Commission shall be subject to a fine of not more than five hundred (500) dollars in addition to such order or decree that may be issued.

516.19 ADDITIONAL REMEDIES PRESERVED

(a) Any person injured by any act in violation of the provisions of this chapter shall have a civil cause of action in municipal court.

(b) A civil cause of action under this section shall be filed in a municipal court within one (1) year after the alleged discriminatory practice ceases or within thirty (30) days of an order by the Commission under Sec. 516.14 of this Chapter. Any such action shall supersede any complaint or hearing before the Commission concerning the same alleged violations, and any such administrative action shall be closed upon such filing.

516.20 STATE/FEDERAL REMEDIES

(a) The remedies provided for in this chapter are in addition to, not in lieu of, those provided for by state and federal law. This chapter shall therefore not be construed so as to limit a person's right to file complaint with any state or federal agency, board, tribunal or court vested with jurisdiction to receive, review and act upon complaints of discrimination. This chapter shall not be construed as limiting the right of any person to seek remedies in courts of competent jurisdiction pursuant to state or federal law which grant private rights of action to persons aggrieved by discriminatory acts of the type prohibited by this chapter. There is no requirement that an aggrieved person file a complaint with the City of Lakewood pursuant to this chapter before seeking any other federal, state or other remedy available to the person.

(b) A person's election to seek remedies provided for in this

chapter shall not operate to toll any statute of limitation set forth in state or federal law for pursuing remedies under state or federal law for acts of discrimination of the type prohibited by this chapter.

516.21 SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Chapter, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Lakewood hereby declares that it would have adopted this Chapter and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 2. Section 1327.08, Equal Opportunity, of the Lakewood Codified Ordinances, currently reading as follows:

1327.08 EQUAL OPPORTUNITY

No person shall be denied the right to purchase or lease a condominium unit in the City because of race, color, religion, sex, sexual orientation, ancestry, handicap, familial status or national origin.

shall be and hereby is repealed and new Section 1327.08, Equal Opportunity, of the Lakewood Codified Ordinances, is enacted to read as follows:

1327.08 EQUAL OPPORTUNITY

No person shall be denied the right to purchase or lease a condominium unit in the City because of race, color, religion, sex, sexual orientation, gender identity or expression, ancestry, handicap, familial status or national origin.

Section 3. Section 142.01, Establishment; Purpose, of the Lakewood Codified Ordinances, currently reading as follows:

142.01 ESTABLISHMENT; PURPOSE

The Lakewood Community Relations Advisory Commission is hereby established to serve in an advisory capacity for the purpose of educating, informing and making recommendations to City officials, departments, boards and commissions on matters relating to community relations within the City of Lakewood in an effort to advance:

(a) Respect for diversity: Acknowledge we live in a dynamic community with an ever-changing variety of group and individual experiences, and affirm values derived from the understanding of our

differences (whether based on socio-economic class, culture, religion, race, ethnicity, age, gender, or sexual orientation).

(b) Bonds of mutuality: Recognize the interdependence of our different interests as we work toward serving the common good, and ensure community relations have substantive meaning by acknowledging, as Martin Luther King Jr. stated, "Whatever affects one directly affects all indirectly."

(c) Equity: Affirm our commitment to social justice, and assure all groups and individuals have the opportunity to participate fully in civic affairs with equal access to employment, community resources, and decision-making processes.

shall be and hereby is repealed and new Section 142.01, Establishment; Purpose, of the Lakewood Codified Ordinances, is enacted to read as follows:

142.01 ESTABLISHMENT; PURPOSE

The Lakewood Community Relations Advisory Commission is hereby established to serve in an advisory capacity for the purpose of educating, informing and making recommendations to City officials, departments, boards and commissions on matters relating to community relations within the City of Lakewood in an effort to advance:

(a) Respect for diversity: Acknowledge we live in a dynamic community with an ever-changing variety of group and individual experiences, and affirm values derived from the understanding of our differences (whether based on socio-economic class, culture, religion, race, ethnicity, age, gender, sexual orientation, or gender identity or expression).

(b) Bonds of mutuality: Recognize the interdependence of our different interests as we work toward serving the common good, and ensure community relations have substantive meaning by acknowledging, as Martin Luther King Jr. stated, "Whatever affects one directly affects all indirectly."

(c) Equity: Affirm our commitment to social justice, and assure all groups and individuals have the opportunity to participate fully in civic affairs with equal access to employment, community resources, and decision-making processes.

Section 4. Section 537.18, INTIMIDATION, of the Lakewood Codified Ordinances, currently reading as follows:

537.18 INTIMIDATION

(a) No person shall violate Section 537.05, 537.06, 537.10(a)(3), (4) or (5), 541.03 or 541.04 by reason of race, color, religion or national origin of another person or group of persons.

(b) No person shall violate Section 537.06, 541.03 or 541.04 by reason of actual or perceived sexual orientation, age, gender, gender

identity or expression, or disability as defined by Ohio R.C. 3304.11(A), of another person or group of persons.

(c) Whoever violates subsection (a) hereof is guilty of intimidation. A violation of intimidation under subsection (a) is an offense of the next higher degree than the offense the commission of which is a necessary element of intimidation. In case of an offense that is a misdemeanor of the first degree, whoever violates this section shall be prosecuted under Ohio R.C. 2927.12.

(d) Whoever violates subsection (b) of this section is guilty of intimidation. A violation of intimidation under subsection (b) is an offense of the next higher degree than the offense the commission of which is a necessary element of intimidation when the underlying offense is a second, third or fourth degree misdemeanor.

shall be and hereby is repealed and new Section 537.18, INTIMIDATION, of the Lakewood Codified Ordinances, is enacted to read as follows:

537.18 INTIMIDATION

(a) No person shall violate Section 537.05, 537.06, 537.10(a)(3), (4) or (5), 541.03 or 541.04 by reason of race, color, religion, national origin, or actual or perceived sexual orientation, age, gender, gender identity or expression, or disability as defined by Ohio R.C. 3304.11(A) of another person or group of persons.

(b) Whoever violates subsection (a) hereof is guilty of intimidation. A violation of intimidation under subsection (a) is an offense of the next higher degree than the offense the commission of which is a necessary element of intimidation. In case of an offense that is a misdemeanor of the first degree, whoever violates this section may be prosecuted under Ohio R.C. 2927.12.

Section 5. 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 such 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.

Section 6. This ordinance is found to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City for the reasons set forth in the preamble, and provided it receives the affirmative vote of at least five members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Approved: _____

Clerk of Council

Mayor



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650
www.oneLakewood.com
Lakewood City Council
SAM O'LEARY, PRESIDENT
DAVID W. ANDERSON, VICE PRESIDENT

Council at Large
RYAN P. NOWLIN
THOMAS R. BULLOCK III
CINDY MARX

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DANIEL J. O'MALLEY, WARD 4

January 15, 2016

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Appointment of Lydia Saoirse Kelly to the Community Relations Advisory Commission

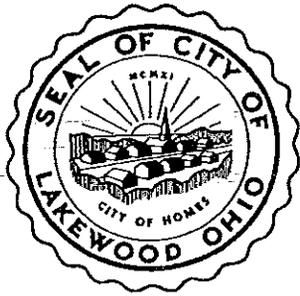
Dear Lakewood City Council and Mayor:

By this letter, I am appointing Lydia Saoirse Kelly to serve on the Community Relations Advisory Commission. Lydia is a Lakewood resident, is active in volunteering, is conscientious and hard-working, and I know she will serve the Commission well.

I would also like to thank my previous appointee, Chris Varano, for his service on this board.

Sincerely,

Thomas R. Bullock III



12650 DETROIT AVENUE • 44107 • 216/521-7580 • fax 216/521-1379
Website: www.onelakewood.com

MICHAEL P. SUMMERS
MAYOR

January 19, 2016

Lakewood City Council

RE: Recognizing two Heritage Advisory Board Members

Dear Members of Council:

This evening I invite members of Council to join me in recognizing and thanking two longstanding members of the Lakewood Heritage Advisory Board. Lakewood is proud to recognize Marcia Moll and Heather Rudge for their dedicated public service and we would like to take this opportunity to thank them for their involvement in the community.

These two members have been actively involved in the preservation community in Lakewood for many years, and have been influential in establishing a strong foundation for preservation in Lakewood.

I invite Marcia, and Heather to come forward to be formally recognized by members of Lakewood City Council by way of the attached resolution.

Sincerely,

Michael P. Summers

RESOLUTION NO.

BY: _____

A RESOLUTION to recognize and thank Marcia Moll and Heather Rudge of for their collective 38 years of public service as members of the Lakewood Heritage Advisory Board (LHAB).

WHEREAS, LHAB is established to serve in an advisory capacity for the purpose of educating, informing and making recommendations to City officials, departments, boards and commissions and the community on matters relating to historic preservation; and

WHEREAS, the first meeting of the LHAB was in June 1996; and

WHEREAS, since 2002, LHAB has organized an annual public ceremony to issue Preservation Awards to Lakewood property owners recognizing their significant contribution to improving the quality of life in our community through the preservation of Lakewood's historic architecture; and

WHEREAS, LHAB succeeded in its continued efforts in the areas of public education, legislative assistance, and technical assistance related to historic preservation to the Lakewood community; and

WHEREAS, LHAB was a key collaborator in crafting the local historic districts and properties legislation, which codified the local historic property and district nomination and designation process; and

WHEREAS, since being codified, numerous properties have been designated as historic via the local historic designation process; and

WHEREAS, a strong foundation has been laid for future leaders in the preservation community in Lakewood to build upon; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor and Council of the City of Lakewood that we hereby recognize the efforts and successes of Marcia Moll and Heather Rudge and recognize the positive impact they have had and will continue to have on the City of Lakewood.

Section 2. It is found and determined that all formal actions of this council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such 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.

Section 3. This resolution is hereby declared to be an emergency measure necessary for

the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of Council this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

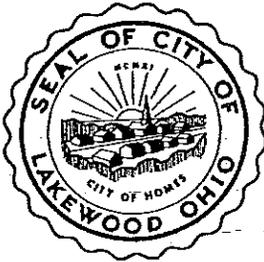
Adopted: _____

President

Clerk

Approved: _____

Mayor



DEPARTMENT OF PLANNING & DEVELOPMENT
DRU SILEY, DIRECTOR

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com/development

January 19, 2016

Lakewood City Council
Lakewood, OH 44107

RE: Modifications to Lakewood's Sign Ordinance (Chapter 1329)

Dear Members of Council:

Earlier this year, my department began reviewing and revising Lakewood's sign code found in Chapter 1329 of the Codified Ordinances. We worked with our Architectural Board Review to ensure the sign code reflected the values in our Community Vision and commercial sign guidelines. During our work, the United States Supreme Court issued a decision in *Reed v. Gilbert*. That decision made clear that a sign code which categorically regulates signage and that requires the content of the sign to be read to determine the category of sign as content-based regulation and, therefore, unconstitutional under the First Amendment.

In conjunction with the law department, my staff continued to review our sign code to conform to the Supreme Court ruling and has completed the draft copy included in the legislation. I look forward to working with you on the attached ordinance.

Sincerely,

Dru Siley
Director of Planning and Development

ORDINANCE NO.

BY:

AN ORDINANCE to amend various sections within Chapter 1329, Signs, of the Codified Ordinances of the City of Lakewood and other sign-related sections in order to update the code.

WHEREAS, in July 2015 the U.S. Supreme Court issued a decision in *Reed v. Gilbert*; and

WHEREAS, the Court for the first time has ruled that a sign code which categorically regulates signage and that requires the content of the sign to be read to determine the category of sign as content-based regulation and, therefore, unconstitutional under the First Amendment; and

WHEREAS, Lakewood's current sign code may fall within this prohibited regulation on speech as interpreted by the U.S. Supreme Court in the *Reed* case; and

WHEREAS, updates are required to insure that Lakewood maintains reasonable regulations of signage within the community without violating First Amendment rights; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 1329, Signs, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

CHAPTER 1329
Signs

1329.01 INTENT.

- (a) Sign regulations, including provisions to control the type, design, size, location, illumination and maintenance thereof, are established in order to achieve, among others, the following purposes:
- (1) To promote attractive and maintain high value residential districts by permitting only nameplates, bulletin boards and signs related to the develop, rental or sale of properties in such districts;
 - (2) To provide reasonable, yet appropriate, conditions for identifying and advertising goods sold or services rendered in business districts by relating the size, type and design of signs to the type and size of establishments;
 - (3) To provide for appropriate signs for the identification and encouragement of industrial development;

- (4) To control the design of signs so that their appearance will be aesthetically harmonious with their surroundings and an overall urban design for the area;
- (5) To eliminate any conflict between advertising (or identification) signs and traffic control signs which would be hazardous to the safety of the
- (b) In establishing these objectives the City has determined that, clearly articulated regulations and design standards will effectively promote high quality signs that enhance the appearance, function and character of the community. All signs not conforming with the provisions of this chapter are hereby declared a nuisance. It is further declared that the regulations contained in this chapter are the minimum regulation necessary to abate the nuisance and to achieve the purposes of this chapter.

1329.02 ESTABLISHING REGULATIONS.

- (a) Signs shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the type, design, size, location, illumination and other provisions set forth in this chapter.
- (b) The construction, erection, safety and maintenance of all signs shall be in accordance with the City Building Code. The provisions of this chapter shall not amend or in any way interfere with other codes, rules or regulations governing traffic signs within the City.

1329.03 CLASSIFICATION OF SIGNS.

- (a) "Sign" means any display, figure, painting, drawing, placard, poster or other device visible from, or on, a public way which is designed, intended or used to convey a message, inform or direct attention to a person, institution, organization, activity, place, object or product, but does not include show window or interior displays. It may be a structure or part thereof painted on or attached directly or indirectly to a structure.
- (b) Classification by Functional Type.
 - (1) "Billboard" means a sign which is primarily intended to direct attention to a specific business, product, service, entertainment or any other activity sold, offered or conducted elsewhere than upon the same lot or premises on which the sign is located and which may, subject to the provisions of this chapter, contain noncommercial message.
 - (2) "Bulletin board" means a sign which if primarily intended to advertise the name of the business or establishment, the goods or commodities sold and/or brand names thereof, or services rendered on the lot or premises which the sign is located and which may, subject to the provision of this chapter, contain noncommercial messages. The terms "advertising" and "brand names" distinguish business signs from identification signs.
 - (3) "Business sign" means a sign which is primarily intended to advertise the name of the business establishment, the good or commodities sold and/or brand names thereof, or services rendered on the lot or premises which the sign is located and which may, subject to the provisions this chapter,

contain non-commercial messages. The terms "advertising" and "brand names" distinguish business signs from identification signs.

- (4) "Development sign" means a sign directing attention to the promotion, development or construction of a building or subdivision on the parcel of land on which the sign is located.
- (5) "Directional sign" means a sign indicating the direction to which attention is called either on the lot on which the sign is located or which directs attention to another location.
- (6) "Identification sign" means a sign which is primarily intended to indicate the name, owner, manager and/or address of an existing building or business and which may, subject to the provision of this chapter, contain noncommercial messages.
- (7) "Informational sign" means a sign which is primarily intended to give general information to the public concerning the location of places for lodging, vehicle service, time, weather, historic sites, areas of natural scenic beauty or outdoor recreation facilities and similar information and which may, subject to the provision of this chapter, contain noncommercial messages.
- (8) "Nameplate" means a sign indicating the name, address or profession of the person or persons occupying the lot or part of a building.
- (9) "Real estate sign" means a sign directing attention to the promotion, development, construction, rental, sale or lease of property on which it is located.
- (10) "Temporary sign" means a sign of any type to announce special events or sales, to announce the sale, lease or rental of property and designed to be used for a period of time up to sixty days, but not to include a bulletin board.
- (11) "Changeable copy sign" means a sign or any portion thereof where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over, manually or by electronic mechanical devices.
- (12) "Mural sign" means a sign painted or applied to an exterior wall of a buildings and used for primary business identification purposes and does not contain any other advertising of products or services.
- (13) "Pennant sign" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string usually in a series, designed to move in the wind.
- (14) "Lighter-than-Air sign" means a sign that is either expanded to its full dimensions, or supported by gasses contained within the sign, or sign parts, at pressure greater than atmospheric pressure.
- (15) "Streamer or Wind sign" means any sign designed to move in the wind that is not specifically a pennant or lighter-than-air sign.

(16) "Electronic Reader Board sign" means a Sign designed to display a message or graphics electronically produced.

(c) Classification by Structural Type.

(1) "Canopy sign" means a sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility.

(2) "Ground sign" means a freestanding sign which has a supporting base designed as an integral part of the sign and resting totally or primarily on the ground.

"Off-Premises sign" means any sign that is not located on the property to which it is associated, or located on a property without the consent of the owner of the property.

(3) "Pole sign" means a sign that is supported wholly by a pole or poles and designed so as to permit pedestrian or vehicular traffic there under.

(4) "Portable sign" means a sign that is designed to be portable and is not permanently attached to any part of a building.

(5) "Projecting sign" means a sign erected on the outside wall of a building and which projects out at an angle there from.

(6) "Roof sign" means a sign erected upon and completely over the roof of any building.

(7) "Wall sign" means a sign integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches there from.

(8) "Window sign" means a sign painted, attached or affixed to the interior surface of windows or doors of a building or are affixed inside the building within 24" of the interior window surface and visible from the public right of way.

(9) "Awning sign" means a sign painted, attached, embossed or affixed to a fixed or retractable awning.

(10) "Mural signs" means a sign painted on or applied to an exterior wall surface of the of a building.

1329.04 MEASUREMENT STANDARDS.

The size of signs is regulated in this chapter by relating the gross area of signs to the building or use of a lot, or the size of the building unit to which the sign is accessory.

(a) The gross area of signs for a building or use shall include all permanent surfaces visible from a public way and shall be measured for all signs except projecting or pole signs as follows:

(1) The area of the surface, or surfaces of an opaque or translucent panel used or intended for displaying a message; plus

- (2) The area within the smallest rectangle enclosing a sign composed of letters or characters which are individually attached to a building wall or other structural element not designed as a panel; plus
- (3) The area of permanent window and door signs.
- (b) Whenever the gross area of the signs are related to the size of the building or lot: the frontage of a building shall be the width of the façade of the building, business, office, or industrial unit which faces the principal street, or the façade containing the main entrance of a business office, or industrial building.
- (c) Buildings or lots having frontage on a second street or a secondary entrance to a parking area may be permitted additional signs along such secondary streets which shall, however, not exceed twenty-five percent (25%) of the area of the signs permitted along the main facades.
- (d) Projecting or Pole Signs. The area of any double or multi-faced sign shall have only one face, the largest one should the faces differ in size, counted in calculating the area of the sign, and the measurable area shall be the entire area within a single, continuous perimeter composed of square or rectangles which enclose the extreme limits of the advertising message.
- (e) Mural signs. Shall not exceed 100 square feet in area.

1329.05 DESIGN STANDARDS.

Signs, as permitted in all use districts, shall be designed to be compatible in character and style with regard to materials, color and size of the building, other signs designed or located on the same building, and other signs adjoining buildings in order to produce an overall unified effect, and in accordance with the standards set forth in this section. Signs shall be reviewed with respect to each of the provisions of this section and shall require approval by the Board of Building Standards.

- (a) Continuity. Signs shall be considered in relationship to their surrounding environment and, if seen in series, should have a continuity of design.
- (b) Style and Color. The style of a sign shall be generally consistent throughout the particular building or block involved; the color of signs shall be a component of the color of the building façade and the total number of colors on a sign shall be limited to four unless otherwise permitted by the Board of Building standards.
- (c) Lettering. The lettering on a sign shall be large enough to be easily read, but not overly large or out of scale with the building upon which it is placed. An excessive amount of information on signs, where visual clutter could create a potential safety hazard to motorists or pedestrians, shall not be permitted.
- (d) Materials. Signs shall be fabricated on and of materials which are of good quality, good durability and complementary to the building of which they become a part. When noncombustible outdoor signs or display structures are required by this chapter, all parts including the supporting structures shall be of noncombustible material; provided, however, that wood,

approved plaster, or other material not more than combustible than wood or approved plastic shall be permitted in the following locations:

- (1) For small ornamental moldings, caps, nailing strips, individual letters, symbols, figures and insignia.
- (2) On the face of a sign, provided that the aggregate area of such facing for any sign shall not exceed 100 square feet.
- (e) Structural Design. Any graphic, other sign structure, marquee, canopy or awning as defined in this chapter, shall be designed and constructed to withstand a wind pressure of not less than thirty pounds per square foot of net surface area, allowing for wind from any direction, and shall be constructed to withstand loads as required in the American Standards Association Standard A60.1, as amended and as provided herein. Signs shall not be attached to parapets.
- (f) Canopy Signs. A canopy sign is a sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility. The vertical dimension of the sign shall not exceed twelve inches and the lowest structural member shall be not less than eight feet above sidewalk grade. The location, design, and installation of canopies are subject to the approval of the Board of Building Standards.
- (g) Ground Signs. Shall not extend higher than ten feet above the finished grade. Permanent ground signs shall not be located within the required front and side yards unless approved by the Board of Building Standards. The base of ground sign shall be required to have landscaping as approved by the Board of Building Standards.
- (h) Mural Signs. May be permitted in the C1, C2 and C3 Districts only in cases where innovative design is demonstrated subject to review and approval by the Board of Building Standards.
- (i) Pole Sign. Existing pole signs may be refaced as long as the cabinet, pole or structure is not modified in anyway. Any such modification other than refacing the cabinet requires removal of the pole sign.
- (j) Projection Signs. May be permitted in the C1, C2, C3, MUOD Districts only in cases where innovative design is demonstrated and where no potential safety hazard to motorists or pedestrians is created. Projecting signs shall not project any further than twenty-four inches from a vertical line projected from the curb. No sign projecting over public property shall swing from any bar, crane, swing or other sign.
- (k) Wall or Panel Signs. Shall not Project more than twelve inches from the building wall to which it is attached and shall be set back from the end of the building and party wall lines for a distance of at least eighteen inches and shall not project beyond any corner or above the coping or eaves of any building.
- (l) Vertical Clearance. The lowest member for all signs which project or are supported on posts shall be not less than eight feet above the finished grade of a sidewalk or any other pedestrian way; and, if located over a pavement used for vehicular traffic or within twenty-four inches of the vertical

projection of the edge of such pavement, the lowest member of the signs shall be not less than sixteen feet above the finished pavement.

- (m) Relation to Traffic Devices. Signs shall not be erected so as to obstruct sight lines along any public way, traffic control lights, street name signs at intersections, or street sight lines or signals at railroad grade crossings. Signs visible from the sight lines along a street shall not contain an arrow or words such as "stop", "go", "slow", etc., and the movement, content, coloring or manner of illumination shall not exceed twelve inches.
- (n) Awning Signs. One awning sign shall be permitted. The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches. The location, design, and installation of awnings are subject to the approval of the Board of Building Standards.
- (o) Changeable Copy Signs/Electronic Reader Boards. Shall comply with all other regulations of this chapter including the design standards in this section, and the provisions for application for permits in Section 1329.12.

When reviewing the proposed sign, the Board of Building Standards shall consider and establish the standards applicable for the changeable copy which may include, but are not limited to: determining the portion of the sign permitted for changeable copy; determining the suitable material and method for making changes and the manner for fastening the new copy; and establishing the color and design criteria. Electronic reader board signs cannot flash, blink, scroll or strobe and are permitted to change copy once per hour. These standards shall be set forth in the sign permit and shall apply for the life of the sign unless otherwise amended by the Board according to Section 1329.12.

- (q) Comprehensive Sign Plan. As part of a comprehensive rehabilitation or redevelopment of a commercially zoned site or building, the Board of Building Standards may approve special sign standards for a property as follows:
 - (1) The proposed sign program applies to all current and future building tenants and standardized the location, size and type of all wall, door and window signs.
 - (2) The proposed sign program is requires high quality materials, innovative design and uses little or no internally illuminated signage.
 - (3) The Board may increase the amount of signage permitted for the property, provided the condition of 1 and 2 above are met, and permit more than the standard square footage allowed per sign without requiring variances for each sign.
 - (4) The proposed sign program approvals assigns the sign criteria for the property all tenants must confirm to those requirements at all times.

1329.06 ILLUMINATION OF SIGNS.

- (a) Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness so as to

cause glare hazardous to pedestrians or motorists or so as to cause reasonable objection from adjacent residential districts.

- (b) All signs in commercial, industrial, and residential districts may be illuminated. Parking lots and automotive sales lots shall be illuminated in accordance with the provisions of this section.
- (c) Flashing or moving illumination shall not be permitted in any district within the City.

1329.07 SIGNS: RESIDENTIAL DISTRICTS.

Accessory signs shall be permitted in the R-1L, R-1M, R-1H, L and R-2 Districts pursuant to the regulations of the Planning and Zoning Code, Chapters 1121, 1123, 1125 and 1127 or the same as shall be amended from time to time.

1329.08 SIGNS: APARTMENT ML AND MH DISTRICTS.

Accessory signs in Apartment ML and MH Districts shall be designed, erected, altered, moved and maintained, in whole or in part, in accordance with these regulations. The types of signs permitted as to use, structure, size and number for each building or lot shall be regulated as follows:

- (a) Bulletin Boards. One bulletin board not exceeding twenty square feet in area or five feet in height may be located on the premises of a public, charitable or religious institution but not less than fifteen feet from a street right-of-way line; indirect illumination shall be permitted.
- (b) Development Signs. One development sign not exceeding fifty square feet in area and ten feet in height shall be permitted on the lot which a building is under construction. Signs shall be removed on the issuance of a final occupancy permit or one year after the permit is issued, whichever date occurs first.
- (c) Directional Signs. Two directional signs each not exceeding two square feet in area shall be permitted on any building or lot, but not less than five feet from any lot or street right-of-way line.
- (d) Identification Signs. One wall or ground identification sign not exceeding eight square feet shall be permitted, provided the wall sign is located on the street side of a multiple family building and provided any ground sign located in front of the setback line has received approval from the Board of Building Standards.
- (e) Real Estate Signs. One temporary double face freestanding or wall sign advertising the sale, lease or rental of the premises or part of the premises on which the signs are displayed, not exceeding five square feet in area, shall be permitted for each lot.
- (f) Canopy Signs. One canopy sign shall be permitted. The total area of one face of the sign shall not exceed five square feet and the vertical dimension of the sign shall not exceed twelve inches and the lowest structural member shall not be less than eight feet from the sidewalk grade.

- (g) Awning Signs. One awning sign shall be permitted. The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches.
- (h) Billboard and Portable and Roof Signs. Billboards, portable signs and roof signs shall not be permitted in the ML and MH zoning districts unless permitted by specific provisions of this chapter.

1329.09 SIGNS: COMMERCIAL, OFFICE C1; COMMERCIAL, RETAIL C2; COMMERCIAL GENERAL BUSINESS C3 DISTRICTS; COMMERCIAL, PUBLIC SCHOOL C4.

Accessory signs in the Commercial, Office C1; Commercial, Retail C2; General Business C3 Districts be designed, erected, altered, moved and maintained, in whole or in part, in accordance with these regulations.

- (a) Functional Types Permitted. Business signs, changeable copy signs, development signs of a temporary nature, directional signs, electronic reader board signs, identification signs, informational signs, nameplates, political signs, real estate signs, temporary signs, mural and bulletin boards on the lots of public or semipublic institutions.
- (b) Structural Types Permitted. Awning, canopy, ground, wall, mural, window signs. Projecting signs may be permitted if approved by the Board of Building Standards.
- (c) Maximum Area and Number Permitted.
 - (1) Maximum sign face area. The maximum sign face area of all permanent signs permitted for each separate use occupying a building or unit of a building shall be related to the frontage of the building or unit thereof, as determined by the following formula:

Maximum sign face area = (W x 1.5) square feet, except that the total in all cases shall not exceed 120 square feet.

The elements of such formula being defined as follows:

“Maximum sign face area” means the total area of one surface of a permanent sign as defined in Section 1329.04 (a).

“W” means the frontage of a building as defined in Section 1329.04(b).

- (2) Bulletin boards. One bulletin board not exceeding thirty square feet in area or eight feet in height may be located on the premises of a public charitable, or religious institution, but not less than fifteen feet from a street right-of-way line; indirect illumination shall be permitted.
- (3) Canopy signs. A sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility. The total area of one face of the sign does not exceed five square feet, the vertical dimension of the sign does not exceed twelve inches, and the lowest structural member is not less than eight feet above the sidewalk grade.
- (4) Development signs. One temporary development sign not exceeding fifty square feet in area and ten feet in height shall be permitted on the lot upon

which a building is under construction. Signs shall be removed on the issuance of a final occupancy permit or one year after the period is issued, whichever date occurs first.

- (5) Directional signs. Two directional signs each not exceeding two square feet in area shall be permitted on any building or lot, but not less than five feet from any lot or street right-of-way line.
 - (6) Ground signs. One ground sign not to exceed forty square feet in area and the top of the sign shall not exceed ten feet in height above the sidewalk grade.
 - (7) Informational signs. One informational ground sign not exceeding six square feet in sign face area may be permitted on any lot, but not less than five feet from any lot or street right-of-way line.
 - (8) Nameplates. One nameplate, not exceeding one square foot in area for each store or office unit in the building, but not exceeding a total of eight nameplates per building, shall be permitted.
 - (9) Real estate signs. One temporary double face freestanding or wall sign advertising the sale, lease or rental of the premises or part of the premises on which the signs are displayed, not exceeding five square feet, shall be permitted.
 - (10) Projecting signs. May be permitted in cases where innovative design is demonstrated and where no potential safety hazard to motorists or pedestrians is created, subject to review and approval by the Board of Building Standards.
 - (11) Awning signs. One awning sign shall be permitted. The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches.
 - (12) Window signs. All window signage including business identification, merchandise signs, temporary signs shall be equal to or less than 15% of the total storefront window area square footage.
- (d) Supplementary Area and Location Standards.
- (1) Side and rear entrances. In cases where the office or business building has an entrance from the side street of a corner lot or has a back entrance from a parking lot open to the public, additional sign area equal to twenty-five percent (25%) of that permitted on the front of the building may be used over such entrance.
 - (2) Shopping center identification signs. In addition to the sign face area permitted for each individual establishment, one shopping center sign identifying the name and/or logo of a unified shopping area in the C1, C2, C3 Districts may be permitted, subject to review and approval by the Board of Building Standards. Shopping center signs shall not exceed forty square feet in area and may be either a ground or pole signs, subject to the regulations governing such sign.

- (3) Vacant lots. Each vacant lot is permitted a maximum sign area of fifty square feet, limited to a ground sign which shall be located no closer to any street than the required building setback line.
- (4) One sign per building face. Notwithstanding the provision of this section, each business shall be permitted a maximum of one sign on any single building face for the building, or the portion of the building, in which the business is located; provided that this limitation shall not apply to directional signs, nameplates or real estate signs, or to a second noncommercial sign which shall not exceed five square feet
- (e) Portable Signs, Roof Signs, Billboards, Pole Signs, Streamers, Pennants, Lighter-Than-Air-Objects, Off-Premises and Wind Signs. Portable signs, roof signs, billboards, pole signs, streamers, pennants, lighter-than-air objects, off-premises and wind signs, shall not be permitted in the C1, C2, C3 zoning districts unless permitted by specific provisions of this chapter.
- (f) Regulations for Billboards.
 - (1) Existing Billboards may be retained, but only the sign area may be modified. Any change to the structure, frame or support are not permitted. If such a change is necessary, the billboard must be removed and cannot be replaced.

1329.10 SIGNS: INDUSTRIAL I DISTRICT.

Accessory signs in the Industrial I District shall be designed, erected, altered, moved and maintained in whole or in part, in accordance with these regulations. The requirements of the Industrial District shall be the same as the requirements of the C1, C2 and C3 Districts specified in Section 1329.09, except as otherwise stated herein.

- (a) Functional Types Permitted. Development signs of a temporary nature, directional signs, identification signs and real estate signs.
- (b) Structural Types Permitted. Ground, pole and wall signs.
- (c) Maximum Sign Face Area. The maximum sign face area of all permanent signs permitted for each separate use occupying a building or unit of a building shall be related to the frontage of the building or unit thereof, as determined by the following formula:

Maximum sign face area = W x 3 square feet, except that the total in all cases shall not exceed 100 square feet.

The elements of such formula being defined as follows:

“Maximum sign face area” means the total area of one surface of a permanent sign as defined in Section 1329.04(a).

“W” means the frontage of a building as defined in Section 1329.04(b).

- (d) Portable Signs, Roof Signs, Billboards, Pole Signs, Streamers, Pennants, Lighter-Than-Air Objects and Wind Signs. Portable signs, roof signs, billboards, pole signs streamers, pennants, lighter-than-air objects and wind

signs shall not be permitted in the I Zoning districts unless permitted by specific provisions of this chapter.

- (e) **Vacant Lots; Signs Permitted.** Each vacant lot is permitted a maximum sign area of fifty square feet, limited to a ground sign which shall be located no closer to any street than the required building setback line.

1329.11 SIGN SCHEDULES.

Schedule A

**CITY OF LAKEWOOD
PERMITTED NUMBER, SIGN AREA AND FUNCTIONAL TYPES
BY ZONING DISTRICT**

	1329.07 ⁽¹⁾ Residential	1329.08 ⁽²⁾ Apartment	1329.09 ⁽³⁾ Commercial	1329.10 ⁽⁴⁾ Industrial	Height Limit	Setback from ROW	Additional Req.
Permanent Sign Area (total)			(W x 1.5)	(W x 3)			120 sq. ft. max
Awning		(1) 6 sq. ft.	(1) 6 sq. ft.				
Billboard			(1) 40 sq. ft.	(1) 40 sq. ft.	16 feet	50 feet	See Sections 1329.09(f) and 1329.10(f)
Bulletin Board	See Zoning Code	(1) 20 sq. ft.	(1) 30 sq. ft.		5-8 feet	15 feet*	
Business			Formula above		Below roof	Bldg. face	See sign area formula
Canopy		(1) 5 sq. ft.	(1) 5 sq. ft.				
Development		(1) 50 sq. ft.	(1) 50 sq. ft.	(1) 50 sq. ft.	10 feet	15 feet*	Must be temporary
Directional		(2) 2 sq. ft.	(2) 2 sq. ft.	(2) 2 sq. ft.		5 feet*	
Identification		(1) 8 sq. ft.	Formula above	Formula above	10'- grnd 15'- pole	Bldg. face	
Informational			(1) 6 sq. ft.			5 feet*	
Nameplate	See Zoning Code		(1) 1 per unit			Bldg. face*	8 max in C1, C2, C3 districts
Real Estate	See Zoning Code	(1) 5 sq. ft.	(1) 5 sq. ft.	(1) 5 sq. ft.		10 feet*	Must be temporary
Side Street			25% of front		Below roof	Bldg. face	
Shopping Center			(1) 40 sq. ft.		10'- grnd 16'- pole	15 feet*	Special approval. Identification only.

*Ground and pole signs shall not be located within required front and side yards unless approved by the Board of Building Standards. (Ord. 25-96, Passed 10-7-96.)

- (1) – Residential (R-1L, R-1M, R-1H, R2, Lagoon)
 (2) – Apartment (ML, MH)
 (3) – Commercial (C1, C2, C3, C4)
 (4) – Industrial (I)

Schedule B

**CITY OF LAKEWOOD
PERMITTED STRUCTURAL SIGN TYPES**

**BY FUNCTIONAL TYPES
STRUCTURAL TYPES**

	Canopy	Ground	Pole	Portable**	Projecting	Roof**	Wall	Window
Billboard							X	
Bulletin Board		X				X		
Business	X				See note*		X	X
Development		X						
Directional		X					X	
Identification	X	X	X		See note*		X	X
Informational		X						
Nameplate	X	X			See note*		X	X
Real Estate		X					X	X
Side Street					See note*		X	
Temporary							X	X
Shopping Center		X	X					

*Projecting signs require special approval by the Board of Building Standards.

**Roof signs and portable signs are not permitted in any district.

(Ord. 52-85. Passed 9-3-85.)

1329.12 APPLICATION FOR PERMITS.

Application for permits to erect, place, paint, illuminate or alter a sign shall be made by the owner or owner's agent of the property for which a sign is proposed. The application shall be submitted on forms furnished by the City and shall be made either separately or with the application for a building permit. The fee for a sign permit shall be established by separate ordinance.

- (a) In all use districts, a sign permit shall be required for all permanent signs which exceed three square feet in area.
- (b) A description of the application procedure and graphic illustration of required information is outlined in the City of Lakewood "Sign Review" handbook. Each application shall be accompanied by drawings to scale and photographs, showing the following:
 - (1) The design and layout proposed, including the total area of signs, the size, height, character, materials, colors and type of lettering or other symbols.
 - (2) Photographs or drawings of the building for which the signs are proposed and photographs of surrounding buildings, signs and uses.
 - (3) The number and types of lamps and lens material to be used in any illuminated signs.
 - (4) The exact location of the sign in relation to the building and property.

- (5) Details and specifications for construction, erection and attachment as may be required by the Building Code.
- (c) A sign permit is applicable only to the specific sign for which it is granted. Once a sign permit is granted, no temporary or permanent signs shall be attached or added to the given sign.
- (d) All signs shall be approved by the Board of Building Standards. However, the Building Commissioner is authorized to issue canopy, wall, window and awning signs, as defined in Section 1329.03(c)(1), (7), (8) and (9), without additional Board approval, for any structure that has been previously reviewed by the Board of Building Standards / Architectural Board of Review, where a building standard for uniform signage has been established for two or more retail, mercantile or other business occupancies and where the new signage is in conformity with the general plan for the building and complies with all other applicable sections of this chapter.
- (e) The Building Commissioner may issue permits for temporary signs, as defined in Section 1329.03(b)(10), not to exceed four permits to an applicant relative to a specific sign per twelve-month period.
- (f) The repainting of existing signs the same color, size and message shall be considered maintenance, and no permit shall be required.

1329.13 MAINTENANCE AND REMOVAL OF SIGNS.

All signs, canopies and awnings shall be kept and maintained in good repair to preserve safe, clean and orderly condition and appearance.

Signs which no longer serve the purpose for which they were intended, or which have been abandoned or are not maintained in accordance with this chapter and other applicable regulations of the City shall be removed by the latest permit holder or by the City at the expense of such permit holder.

Whenever the removal or maintenance of any sign has been ordered by the Building Commissioner, the person, firm or corporation who erected such sign or on whose premises such sign or display structure has been erected, affixed or attached shall remove or maintain such sign within forty-eight hours after receiving such notice. In the event of noncompliance, the Commissioner may remove or cause to be removed or maintain such sign at the expense of the person, firm or corporation who erected such sign or on whose premises it was erected, affixed or attached; each such person, firm or corporation shall be individually and separately liable for the expense incurred in the removal of such sign.

1329.14 GENERAL CONDITIONS AND MATERIALS.

- (a) Allowable Stress. All materials used in structural elements of outdoor signs or display structures, and the allowable stresses for such materials, shall be in conformity with the applicable provisions of this chapter. The allowable stresses in chains, cables and guy rods and their fastenings shall not exceed one-fourth their ultimate strength.
- (b) Noncombustible Signs. When noncombustible outdoor signs or display structures are required by this chapter, all parts including the supporting structure shall be of noncombustible material; provided, however, that

--wood, approved plastic or other material not more combustible than wood or approved plastic shall be permitted in the following locations:

- (1) For small ornamental moldings, caps, nailing strips, individual letters, symbols, figures and insignia;
 - (2) On the face of a sign, provided that the aggregate area of such facing for any sign shall not exceed 100 square feet or for a group of signs shall not exceed 200 square feet; and
 - (3) For posts, braces and laticing on ground signs whose total height is not more than twenty feet above grade level and when specifically approved by the Building Official.
- (c) Combustible Signs. No material more flammable or combustible than wood or approved plastic shall be used in any permitted combustible sign. No combustible sign shall be illuminated by other than the reflector method of electric lighting and all parts of reflectors shall be of noncombustible material.
- (d) Tests for Approved Combustible Plastics. Approved combustible plastic is any plastic material more than 0.050 inch thick which when tested for flammability in sheets 0.060 inch thick in accordance with ASTM D 635 does not burn at a rate exceeding two and one-half inches per minute.
- (e) Use of Approved Combustible Plastics. Approved combustible plastics shall not be used in positions where they shall be subject to temperatures in excess of 140° F unless they have been approved for higher temperatures by the Board of Building Standards.
- (f) Glass in Projecting Signs. Glass in projecting signs shall be used only to such extent and in such manner that no hazard shall be created thereby, and then only if specifically approved by the Building Official.
- (g) Attachment of Projecting Signs.
- (1) Materials. All anchorage, chains, cables or rods supporting or bracing projecting signs shall be of a noncorrosive material or protected in a manner acceptable to the Building Official. The dead load and the loads due to wind pressure shall be supported by structural shapes, chains, cables, or guy rods. Lateral supports shall be spaced not more than eight feet apart. Turnbuckles or other approved means of adjustment shall be placed in all chains, cables or rods supporting or bracing projecting signs.
 - (2) Method. Complete information regarding the proposed method of support and attachment or projecting signs shall be submitted with the application for the permit. No staples or nails shall be used to secure any projecting sign to any building or other structure. No part of a projecting sign shall be supported from an unbraced parapet wall.

1329.15 NONCONFORMING SIGNS.

A sign which is nonconforming on the effective date of this chapter which does not conform with the regulations of this or a subsequent amendment, shall be deemed a nonconformity.

- (a) Statement Purpose. The purpose of this chapter, in addition to providing specific standards for the design, construction and erection of every new graphic, sign, marquee, canopy and awning is to cause every graphic or other sign in violation of any provision of this chapter to be removed, altered or replaced so as to conform with the provisions of this chapter.
- (b) Authority to Continue Existing Nonconformities. Any permanent graphic, sign, marquee, canopy or awning, as defined in Section 1329.03, other than a temporary sign, which is deemed to be a nonconformity, which was erected pursuant to a City permit and in place on the effective date of this chapter, and which remains or becomes a nonconformity upon the adoption of this chapter or any subsequent amendment thereto, may be continued only in accordance with the following regulations:
- (1) Repairs. Ordinary repairs and nonstructural alterations may be made to a nonconforming sign. No structural alterations shall be made in, to or upon such nonconforming sign, except those required by law to make the sign conform to the regulations of this chapter.
 - (2) Additions and enlargements. A nonconforming sign shall not be added to or enlarged in any manner, except to make the sign conform to the regulation of this chapter.
 - (3) Moving. No nonconforming sign shall be moved in whole or in part to any other location unless such sign, and the use thereof, is made to conform to all regulations of this chapter.
 - (4) Restoration of damaged nonconforming signs. A nonconforming sign which is destroyed or damaged by fire or other cause to the extent that the cost of restoration will exceed sixty percent (60%) of the original cost of such sign, shall not be restored unless it is made to conform to all the regulations of this chapter, or any subsequent amendment thereto. In the event that such damage or destruction is less than sixty percent (60%) of the original cost of such sign, no repairs or construction shall be made unless such restoration is started within six months from the date of the partial destruction and is diligently pursued to completion.
 - (5) Discontinuance of use of nonconforming signs. A nonconforming sign, the use of which is discontinued for a period of thirty days, shall thereafter conform to the regulations of this chapter.
 - (6) Change of use of nonconforming signs. Where the business, use or identity associated with the nonconforming sign at the time of the adoption of this chapter, thereafter terminates or changes, such termination or change of use shall require termination of the nonconforming sign, and the use of such sign shall thereafter conform to the regulations of this chapter.
 - (7) Conformance date. All graphics, signs, marquees, canopies and awnings rendered nonconforming by the provisions of this chapter and permitted to continue shall be removed, altered or remodeled to conform to the provisions of this chapter no later than January 1, 1985.
 - (8) When a structure and/or use is nonconforming and the signage restrictions for the district in which it is located would cause hardship, the regulations of the district most compatible with the current and/or proposed use shall be used.

- (c) Any sign, graphic or numeral display embossed, etched, engraved or otherwise an integral part of the original building's masonry architecture which was in existence prior to the effective date of this subsection (c) may be continued provided such sign, graphic or numeral display is maintained as originally designed and intended.

1329.16 APPEAL PROCEDURE.

A variance from the strict application of the provisions of this chapter may be granted by the Board of Building Standards in regard to an existing nonconforming sign or a new sign to be installed, erected, constructed or painted, if the Board finds that requiring strict compliance with the provisions of this chapter may impose an undue hardship and that the granting of the variance from the provisions of this chapter will not depreciate or damage neighboring property, will not create a safety hazard and will not be contrary to the purposes of this chapter. The procedure for applying for variance and the hearing therein shall be the same as in cases involving zoning variances.

1329.99 PENALTY.

Any person, firm or corporation violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars (\$200.00) for each offense. Each day that a sign is erected or maintained in violation of this chapter shall constitute a separate offense.

shall be and is hereby amended to read as follows:

CHAPTER 1329

Signs

1329.01 INTENT.

- (a) Sign regulations, ~~which including provisions to~~ control the type, design, size, location, illumination and maintenance thereof, are established in order to achieve, among others, the following purposes:
- (1) To provide reasonable, yet appropriate, conditions for identifying and advertising goods sold or services rendered within the City by relating the size, type and design of signs to the type and size of establishments; to promote attractive and maintain high value residential districts by permitting only nameplates, bulletin boards and signs related to the develop, rental or sale of properties in such districts;
 - (2) To provide reasonable, yet appropriate, conditions for identifying and advertising goods sold or services rendered in business districts by relating the size, type and design of signs to the type and size of establishments;
 - (3) To provide for appropriate signs for the identification and encouragement of industrial development;
 - (42) To control the design of signs so that their appearance will be aesthetically harmonious with their surroundings and an overall urban design for the area;
 - (53) Promote pedestrian and traffic safety by minimizing sign hazards and obstructions;

~~(4) To promote attractive and maintain high value residential districts. To eliminate any conflict between advertising (or identification) signs and traffic control signs which would be hazardous to the safety of the motoring public or pedestrian.~~

(b) In establishing these objectives the City has determined that, clearly articulated regulations and design standards will effectively promote high quality signs that enhance the appearance, function and character of the community. All signs not conforming with the provisions of this chapter are hereby declared a nuisance. It is further declared that the regulations contained in this chapter are the minimum regulation necessary to abate the nuisance and to achieve the purposes of this chapter.

1329.02 ESTABLISHING REGULATIONS.

(a) Signs shall be ~~designed, erected, altered, reconstructed, moved and maintained,~~ in whole or in part, in accordance with the type, design, size, location, illumination and other provisions set forth in this chapter.

(b) The construction, erection, safety and maintenance of all signs shall be in accordance with the City Building Code. The provisions of this chapter shall not amend or in any way interfere with other codes, rules or regulations governing traffic signs within the City.

1329.03 CLASSIFICATION OF SIGNS.

(a) "Sign" means any display, figure, painting, drawing, placard, poster or other device visible from, or on, a public way which is designed, intended or used to convey a message, inform or direct attention to a person, institution, organization, activity, place, object or product, but does not include show window or interior displays. It may be a structure or part thereof painted on or attached directly or indirectly to a structure.

(b) Classification by Functional Type.

(1) "Billboard" means a large sign or flat surface which is primarily intended to convey a message, ~~to direct attention to a specific business, product, service, entertainment or any other activity sold, offered or conducted elsewhere than upon the same lot or premises on which the sign is located and which may, subject to the provisions of this chapter, contain noncommercial message.~~

(2) "Bulletin board" means a sign which if primarily intended to advertise the name of the business or establishment, the goods or commodities sold and/or brand names thereof, or services rendered on the lot or premises which the sign is located and which may, subject to the provision of this chapter, contain noncommercial messages. The terms "advertising" and "brand names" distinguish business signs from identification signs.

(3) "Business sign" means a sign which is primarily intended to advertise the name of the business establishment, the good or commodities sold and/or brand names thereof, or services rendered on the lot or premises which the sign is located and which may, subject to the provisions this chapter, contain non-commercial messages. The terms "advertising" and "brand names" distinguish business signs from identification signs.

(4) "Development sign" means a sign directing attention to the promotion, development or construction of a building or subdivision on the parcel of land on which the sign is located.

- (5) ~~“Directional sign” means a sign indicating the direction to which attention is called either on the lot on which the sign is located or which directs attention to another location.~~
- (6) ~~“Identification sign” means a sign which is primarily intended to indicate the name, owner, manager and/or address of an existing building or business and which may, subject to the provision of this chapter, contain noncommercial messages.~~
- (7) ~~“Informational sign” means a sign which is primarily intended to give general information to the public concerning the location of places for lodging, vehicle service, time, weather, historic sites, areas of natural scenic beauty or outdoor recreation facilities and similar information and which may, subject to the provision of this chapter, contain noncommercial messages.~~
- (8) ~~“Nameplate” means a sign indicating the name, address or profession of the person or persons occupying the lot or part of a building.~~
- (9) ~~“Real estate sign” means a sign directing attention to the promotion, development, construction, rental, sale or lease of property on which it is located.~~
- (121) “Changeable copy sign” means a sign or any portion thereof where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over, manually or by electronic mechanical devices.
- (123) “Mural sign” means a sign painted or applied to an exterior wall surface of a buildings and used for primary business identification purposes and does not contain any other advertising of products or services.
- (134) “Pennant sign” means any lightweight plastic, fabric, or other material, ~~whether or not containing a message of any kind,~~ suspended from a rope, wire, or string usually in a series, designed to move in the wind.
- (145) “Lighter-than-Air sign” means a sign that is either expanded to its full dimensions, or supported by gasses contained within the sign, or sign parts, at pressure greater than atmospheric pressure.
- (156) “Streamer or Wind sign” means any sign designed to move in the wind that is not specifically a pennant or lighter-than-air sign.
- (167) “Electronic Reader Board sign” means a ~~Sign~~ sign designed to display a message or graphics electronically produced.

(c) Classification by Structural Type.

- (1) “Canopy sign” means a sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility.
- (2) “Ground sign” means a freestanding sign which has a supporting base designed as an integral part of the sign and resting totally or primarily on the ground.
- (3) ~~“Off-Premises sign” means any sign~~ any sign that is not located on the ~~property to property to~~ which it is associated, or located on a property without the consent of the owner of the property.

- (43) "Pole sign" means a sign that is supported wholly by a pole or poles and designed so as to permit pedestrian or vehicular traffic there under.
- (54) "Portable sign" means a sign that is designed to be portable and is not permanently attached to any part of a building.
- (65) "Projecting sign" means a sign erected on the outside wall of a building and which projects out at an angle there from.
- (76) "Roof sign" means a sign erected upon and completely over the roof of any building.
- (87) "Wall sign" means a sign integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches there from.
- (98) "A-Frame" means a self-supporting, portable sign with one or two faces that are adjoined at the top and displayed at an angle, which is not permanently anchored or secured and designed to be placed upon a private sidewalk, plaza or other area where pedestrians walk or gather.
- (10) ~~"Temporary sign" means a sign of any type to announce special events or sales, to announce the sale, lease or rental of property and designed to be used for a period of time up to sixty days, but not to include a bulletin board in which the construction material and support structure is not intended for permanent installation.~~
- (118) "Window sign" means a sign painted, attached or affixed to the interior surface of windows or doors of a building or are affixed inside the building within 24" of the interior window surface and visible from the public right of way.
- (912) "Awning sign" means a sign painted, attached, embossed or affixed to a fixed or retractable awning.
- (10) ~~"Mural signs" means a sign painted on or applied to an exterior wall surface of the of a building.~~

1329.04 MEASUREMENT STANDARDS.

The size of signs is regulated in this chapter by relating the gross area of signs to the building or use of a lot, or the size of the building unit to which the sign is accessory.

- (a) The gross area of signs for a building or use shall include all permanent surfaces visible from a public way and shall be measured for all signs except projecting or pole signs as follows:
- (1) The area of the surface, or surfaces of an opaque or translucent panel used or intended for displaying a message; plus
 - (2) The area within the smallest rectangle enclosing a sign composed of letters or characters which are individually attached to a building wall or other structural element not designed as a panel; plus
 - (3) The area of permanent window and door signs.

- (b) Whenever the gross area of the signs are related to the size of the building or lot: the frontage of a building shall be the width of the façade of the building, business, office, or industrial unit which faces the principal street, or the façade containing the main entrance of a business office, or industrial building.
- (c) Buildings or lots having frontage on a second street or a secondary entrance to a parking area may be permitted additional signs along such secondary streets which shall, however, not exceed twenty-five percent (25%) of the area of the signs permitted along the main facades.
- (d) Projecting or Pole Signs. The area of any double or multi-faced sign shall have only one face, the largest one should the faces differ in size, counted in calculating the area of the sign, and the measurable area shall be the entire area within a single, continuous perimeter composed of square or rectangles which enclose the extreme limits of the advertising message.
- (e) Mural signs. ~~Shall Mural signs shall~~ not exceed 100 square feet in area.

1329.05 DESIGN STANDARDS.

Signs, as permitted in all use districts, shall be designed to be compatible in character and style with regard to materials, color and size of the building, other signs designed or located on the same building, and other signs adjoining buildings in order to produce an overall unified effect, and in accordance with the standards set forth in this section. Signs shall be reviewed with respect to each of the provisions of this section and shall require approval by the Board of Building Standards.

- (a) Continuity. Signs shall be considered in relationship to their surrounding environment and, if seen in series, should have a continuity of design.
- (b) Style and Color. The style of a sign shall be generally consistent throughout the particular building or block involved; the color of signs shall be a component of the color of the building façade and the total number of colors on a sign shall be limited to four unless otherwise permitted by the Board of Building standards.
- (c) Lettering. The lettering on a sign shall be large enough to be easily read, but not overly-large or out of scale with the building upon which it is placed. An excessive amount of information on signs, where visual clutter could create a potential safety hazard to motorists or pedestrians, shall not be permitted.
- (d) Materials. Signs shall be fabricated on and of materials which are of good ~~good~~ high quality, ~~good-high~~ durability and complementary to the building of which they become a part. When noncombustible outdoor signs or display structures are required by this chapter, all parts including the supporting structures shall be of noncombustible material; provided, however, that wood, approved plaster, or other material not more than combustible than wood or approved plastic shall be permitted in the following locations:
 - (1) For small ornamental moldings, caps, nailing strips, individual letters, symbols, figures and insignia.

- (2) On the face of a sign, provided that the aggregate area of such facing for any sign shall not exceed 100 square feet.
- (e) Structural Design. Any graphic, other sign structure, marquee, canopy or awning as defined in this chapter, shall be designed and constructed to withstand a wind pressure of not less than thirty pounds per square foot of net surface area, allowing for wind from any direction, and shall be constructed to withstand loads as required in the American Standards Association Standard A60.1, as amended and as provided herein. Signs shall not be attached to parapets.
- (f) Canopy Signs. A canopy sign is a sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility. The vertical dimension of the sign shall not exceed twelve inches and the lowest structural member shall be not less than eight feet above sidewalk grade. The location, design, and installation of canopies are subject to the approval of the Board of Building Standards.
- (g) Ground Signs. Shall not extend higher than ten feet above the finished grade. ~~Permanent~~ Ground signs shall not be located within the required front and side yards unless approved by the Board of Building Standards. The base of ground sign shall be required to have landscaping as approved by the Board of Building Standards.
- (h) Mural Signs. May be permitted in the C1, C2 and C3 Districts only in cases where innovative design is demonstrated subject to review and approval by the Board of Building Standards.
- (i) Pole Sign. Existing pole signs may be refaced as long as the cabinet, pole or structure is not modified in anyway. Any such modification other than refacing the cabinet requires removal of the pole sign.
- (j) Projection Signs. May be permitted in the C1, C2, C3, MUOD Districts only in cases where innovative design is demonstrated and where no potential safety hazard to motorists or pedestrians is created.. Projecting signs shall not project any further than twenty-four inches from a vertical line projected from the curb. No sign projecting over public property shall swing from any bar, crane, swing or other sign, unless approved by the Board of Building Standards.
- (k) Wall or Panel Signs. Shall not Project more than twelve inches from the building wall to which it is attached and shall be set back from the end of the building and party wall lines for a distance of at least eighteen inches and shall not project beyond any corner or above the coping or eaves of any building.
- (l) Vertical Clearance. The lowest member for all signs which project or are supported on posts shall be not less than eight feet above the finished grade of a sidewalk or any other pedestrian way; and, if located over a pavement used for vehicular traffic or within twenty-four inches of the vertical projection of the edge of such pavement, the lowest member of the signs shall be not less than sixteen feet above the finished pavement.
- (m) Relation to Traffic Devices. Signs shall not be erected so as to obstruct sight lines along any public way, traffic control lights, street name signs at intersections, or street sight lines or signals at railroad grade crossings.

Signs visible from the sight lines along a street shall not contain an arrow or words such as "stop", "go", "slow", etc., and the movement, content, coloring or manner of illumination shall not exceed twelve inches.

- (n) Awning Signs. ~~One awning sign shall be permitted.~~ The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches. The location, design, and installation of awnings are subject to the approval of the Board of Building Standards.
- (o) Changeable Copy Signs. Shall comply with all other regulations of this chapter including the design standards in this section, and the provisions for application for permits in Section 1329.12.

When reviewing the proposed sign, the Board of Building Standards shall consider and establish the standards applicable for the changeable copy which may include, but are not limited to: determining the portion of the sign permitted for changeable copy; determining the suitable material and method for making changes and the manner for fastening the new copy; and establishing the color and design criteria. Changeable copy shall be text only and of a single color. Changeable copy signs may be digital for the purposes of displaying price, time, and/or temperature. The digital copy may not flash or change other than to reflect a change in status.

- (p) Electronic Reader Boards. Shall only be permitted as a part of Comprehensive Sign Plan as defined in 1329.06(q). Shall comply with all other regulations of this chapter including the design standards in this section, and the provisions for application for permits in Section 1329.12. When reviewing the proposed sign, the Board of Building Standards shall consider and establish the standards applicable for the electronic reader boards which may include, but are not limited to: determining the portion of the sign permitted for electronic reader boards; determining the suitable material and method for making changes and the manner for fastening the new copy; and establishing the color and design criteria. Electronic reader board signs cannot flash, blink, scroll or strobe and are permitted to change copy once per hour. The electronic reader board portion of signage must be a subordinate portion of proposed signage. These standards shall be set forth in the sign permit and shall apply for the life of the sign unless otherwise amended by the Board according to Section 1329.12.
- (q) Comprehensive Sign Plan. As part of a comprehensive rehabilitation or redevelopment of a commercially zoned site or building, the Board of Building Standards may approve special sign standards for a property as follows:
- (1) The proposed sign program applies to all current and future building tenants and standardized the location, size and type of all wall, door and window signs.
 - (2) The proposed sign program ~~is~~ requires high quality materials, innovative design and uses little or no internally illuminated signage.
 - (3) The Board may increase the amount of signage permitted for the property, provided the condition of 1 and 2 above are met, and permit more than the standard square footage allowed per sign without requiring variances for each sign.

- (4) The proposed sign program approvals assigns the sign criteria for the property all tenants must confirm to those requirements at all times.
- (r) A-Frame Signs. All signs shall be professionally manufactured, maintained in good repair, and no attachments to the signs are permitted. Construction of the sign shall be of professional quality and made of durable, weather resistant materials such as wood, steel, aluminum and PVC. Signs shall only be permitted on the public sidewalk in front of the business. Illumination is prohibited.

1329.06 ILLUMINATION OF SIGNS.

- (a) Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness so as to cause glare hazardous to pedestrians or motorists or so as to cause reasonable objection from adjacent residential districts.
- (b) All signs in commercial, industrial, and apartment ML and MH residential districts may be illuminated. ~~Parking lots and automotive sales lots shall be illuminated in accordance with the provisions of this section.~~
- (c) Flashing or moving illumination shall not be permitted in any district within the City.

1329.07 SIGNS: RESIDENTIAL DISTRICTS.

Accessory signs shall be permitted in the R-1L, R-1M, R-1H, L and R-2 Districts pursuant to the regulations of the Planning and Zoning Code, Chapters 1121, 1123, 1125 and 1127 or the same as shall be amended from time to time. Signage shall be in accordance with these regulations.

(a) Maximum Sign Area and Location

- (1) No sign shall exceed six (6) square feet in total area.
- ~~(1)(2)~~ No sign shall be displayed on any utility pole, or in any tree lawn or public right-of-way.

(b) Exemptions

- (1) This section does not apply to churches or schools existing as non-conforming uses in R1L, R1H, L, R2, ML, or MH Districts. Chapter 1329 of the Building Code shall govern signs on such premises.
- (2) Flags and signage with a total area that does not exceed one (1) square foot.

(c) Other Regulations

The Director of Public Works may remove any sign(s) posted on any utility pole, or in any tree lawn or public right-of-way. The Director of Public Works may determine the cost of removal and assess such costs to the person(s), business, organization, or entity that posted the sign(s).

1329.08 SIGNS: APARTMENT ML AND MH DISTRICTS.

Accessory signs in Apartment ML and MH Districts shall be designed, erected, altered, moved and maintained, in whole or in part, in accordance with these regulations. The types of signs permitted as to use, structure, size and number for each building or lot shall be regulated as follows:

- (a) ~~Bulletin Boards.~~ One bulletin board not exceeding twenty square feet in area or five feet in height may be located on the premises of a public, charitable or religious institution but not less than fifteen feet from a street right-of-way line; indirect illumination shall be permitted.
- (b) ~~Development Signs.~~ One development sign not exceeding fifty square feet in area and ten feet in height shall be permitted on the lot which a building is under construction. Signs shall be removed on the issuance of a final occupancy permit or one year after the permit is issued, whichever date occurs first.
- (c) ~~Directional Signs.~~ Two directional signs each not exceeding two square feet in area shall be permitted on any building or lot, but not less than five feet from any lot or street right-of-way line.
- (d) ~~Identification Signs.~~ One wall or ground identification sign not exceeding eight square feet shall be permitted, provided the wall sign is located on the street side of a multiple family building and provided any ground sign located in front of the setback line has received approval from the Board of Building Standards.
- (e) ~~Real Estate Signs.~~ One temporary double face freestanding or wall sign advertising the sale, lease or rental of the premises or part of the premises on which the signs are displayed, not exceeding five square feet in area, shall be permitted for each lot.
- (fa) ~~Canopy Signs.~~ One canopy sign shall be permitted. The total area of one face of the sign shall not exceed five square feet and the vertical dimension of the sign shall not exceed twelve inches and the lowest structural member shall not be less than eight feet from the sidewalk grade.
- (gb) ~~Awning Signs.~~ One awning sign shall be permitted. The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches.
- (hc) ~~Billboard and Portable and Roof Signs.~~ Billboards, portable signs and roof signs shall not be permitted in the ML and MH zoning districts unless permitted by specific provisions of this chapter.
- (d) Ground signs. One ground sign not to exceed forty square feet in area and the top of the sign shall not exceed ten feet in height above the sidewalk grade.

1329.09 SIGNS: COMMERCIAL, OFFICE C1; COMMERCIAL, RETAIL C2; COMMERCIAL GENERAL BUSINESS C3 DISTRICTS; COMMERCIAL, PUBLIC SCHOOL C4.

Accessory signs in the Commercial, Office C1; Commercial, Retail C2; General Business C3 Districts be designed, erected, altered, moved and maintained, in whole or in part, in accordance with these regulations.

- (a) Functional Types Permitted. Business signs, changeable ~~Changeable~~ copy signs, ~~development signs of a temporary nature,~~ directional signs, electronic reader board signs, identification signs, informational signs, nameplates, political signs, real estate signs, temporary signs, and mural and signs, bulletin boards on the lots of public or semipublic institutions.

(b) Structural Types Permitted. Awning, canopy, ground, wall, mural, A-Frame and window signs. Projecting signs may be permitted if approved by the Board of Building Standards.

(c) Maximum Area and Number Permitted.

(1) Maximum sign face area. The maximum sign face area of all permanent signs permitted signage for each separate use occupying a building or unit of a building shall be related to the frontage of the building or unit thereof, as determined by the following formula:

Maximum sign face area = (W x 1.5) square feet, except that the total in all cases shall not exceed ~~120~~100 square feet.

The elements of such formula being defined as follows:

“Maximum sign face area” means the total area of one surface of a permanent sign as defined in Section 1329.04 (a).

“W” means the frontage of a building as defined in Section 1329.04(b).

- (2) ~~Bulletin boards.~~ One bulletin board not exceeding thirty square feet in area or eight feet in height may be located on the premises of a public charitable, or religious institution, but not less than fifteen feet from a street right-of-way line; indirect illumination shall be permitted.
- (32) Canopy signs. A sign attached to the underside of the canopy at a ninety degree angle to the street, intended for pedestrian visibility. The total area of one face of the sign does not exceed five square feet, the vertical dimension of the sign does not exceed twelve inches, and the lowest structural member is not less than eight feet above the sidewalk grade.
- (4) ~~Development signs.~~ One temporary development sign not exceeding fifty square feet in area and ten feet in height shall be permitted on the lot upon which a building is under construction. Signs shall be removed on the issuance of a final occupancy permit or one year after the period is issued, whichever date occurs first.
- (5) ~~Directional signs.~~ Two directional signs each not exceeding two square feet in area shall be permitted on any building or lot, but not less than five feet from any lot or street right-of-way line.
- (63) Ground signs. One ground sign not to exceed forty square feet in area and the top of the sign shall not exceed ten feet in height above the sidewalk grade.
- (7) ~~Informational signs.~~ One informational ground sign not exceeding six square feet in sign face area may be permitted on any lot, but not less than five feet from any lot or street right-of-way line.
- (8) Nameplates. One nameplate, not exceeding one square foot in area for each store or office unit in the building, but not exceeding a total of eight nameplates per building, shall be permitted.
- (9) ~~Real estate signs.~~ One temporary double face freestanding or wall sign advertising the sale, lease or rental of the premises or part of the premises on which the signs are displayed, not exceeding five square feet, shall be permitted.
- (104) Projecting signs. May be permitted in cases where innovative design is demonstrated and where no potential safety hazard to motorists or

pedestrians is created, subject to review and approval by the Board of Building Standards.

- (115) Awning signs. ~~One awning sign shall be permitted.~~—The total area of one face of the sign shall not exceed six square feet and the vertical dimension of the sign shall not exceed twelve inches.
- (126) Window signs. All window signage including business identification, merchandise signs, temporary signs shall be equal to or less than 15% of the total storefront window area square footage.
- (137) A-Frame signs. Only one sign per business shall be permitted. Signs must maintain a minimum of five (5) feet of unobstructed sidewalk between the outer edge of the sign and the edge of pavement/curb/building. Signs shall not block or interfere with ADA accessibility nor restrict pedestrian movement. The maximum size of an A-frame sign is 32 inches wide and 36 inches tall. All signs shall be removed from display when the business closes each day.

(d) Supplementary Area and Location Standards.

- (1) Side and rear entrances. In cases where the office or business building has an entrance from the side street of a corner lot or has a back entrance from a parking lot open to the public, additional sign area equal to twenty-five percent (25%) of that permitted on the front of the building may be used over such entrance.
- (2) ~~Shopping center identification-Multiple tenant signs.~~ In addition to the sign face area permitted for each individual establishment, one ~~shopping center~~multi-tenant sign identifying the name and/or logo of a unified ~~shopping area~~commercial building/center in the C1, C2, C3 Districts may be permitted, subject to review and approval by the Board of Building Standards. ~~Shopping center-Multi-tenant~~ signs shall not exceed forty square feet in area and may be either a ground, wall- or pole-mural signs, subject to the regulations governing such sign.
- (3) Vacant lots. Each vacant lot is permitted a maximum sign area of fifty square feet, limited to a ground sign which shall be located no closer to any street than the required building setback line.
- (4) One sign per building face. Notwithstanding the provision of this section, each business shall be permitted a maximum of one sign on any single building face for the building, or the portion of the building, in which the business is located; ~~provided that this limitation shall not apply to directional signs, nameplates or real estate signs, or to a second nonecommercial sign which shall not exceed five square feet.~~

- (e) Portable Signs, Roof Signs, Billboards, Pole Signs, Streamers, Pennants, Lighter-Than-Air-Objects, Off-Premises and Wind Signs. Portable signs, roof signs, billboards, pole signs, streamers, pennants, lighter-than-air objects, off-premises and wind signs, shall not be permitted in the C1, C2, C3 zoning districts unless permitted by specific provisions of this chapter.

(f) Regulations for Billboards.

- (1) Existing Billboards may be retained, but only the sign area may be modified. Any change to the structure, frame or support are not permitted. If such a change is necessary, the billboard must be removed and cannot be replaced.

1329.10 SIGNS: INDUSTRIAL I DISTRICT.

Accessory signs in the Industrial I District shall be designed, erected, altered, moved and maintained in whole or in part, in accordance with these regulations. The requirements of the Industrial District shall be the same as the requirements of the C1, C2 and C3 Districts specified in Section 1329.09, except as otherwise stated herein.

- (a) ~~Functional Types Permitted.~~ ~~Development signs of a temporary nature, directional signs, identification signs and real estate signs.~~
 (b) Structural Types Permitted. Ground, pole and wall signs.
 (eb) Maximum Sign Face Area. The maximum sign face area of all permanent signs-permitted for each signage for each separate use occupying a building or unit of a building shall be related to the frontage of the building or unit thereof, as determined by the following formula:

$$\text{Maximum sign face area} = W \times 3 \text{ square feet, except that the total in all cases shall not exceed 100 square feet.}$$

The elements of such formula being defined as follows:

“Maximum sign face area” means the total area of one surface of a permanent sign as defined in Section 1329.04(a).

“W” means the frontage of a building as defined in Section 1329.04(b).

- (ec) Portable Signs, Roof Signs, Billboards, Pole Signs, Streamers, Pennants, Lighter-Than-Air Objects and Wind Signs. Portable signs, roof signs, billboards, pole signs streamers, pennants, lighter-than-air objects and wind signs shall not be permitted in the I Zoning districts unless permitted by specific provisions of this chapter.
 (ed) Vacant Lots; Signs Permitted. Each vacant lot is permitted a maximum sign area of fifty square feet, limited to a ground sign which shall be located no closer to any street than the required building setback line.

1329.11 SIGN SCHEDULES.

Schedule A

**CITY OF LAKEWOOD
 PERMITTED NUMBER, SIGN AREA AND FUNCTIONAL TYPES
 BY ZONING DISTRICT**

	1329.07 ⁽¹⁾ Residential	1329.08 ⁽²⁾ Apartment	1329.09 ⁽³⁾ Commercial	1329.10 ⁽⁴⁾ Industrial	Height Limit	Setback from ROW	Additional Req.
Permanent Permitted Sign Area (total)			(W x 1.5)	(W x 3)			120 100 sq. ft. max

Awning		(1) 6 sq. ft.	(1) 6 sq. ft.				
Billboard			(1) 40 sq. ft.	(1) 40 sq. ft.	16 feet	50 feet	See Sections 1329.09(f) and 1329.10(f)
Bulletin Board	See Zoning Code	(1) 20 sq. ft.	(1) 30 sq. ft.		5-8 feet	15 feet*	
Business			Formula above		Below roof	Bldg. face	See sign area formula
Canopy		(1) 5 sq. ft.	(1) 5 sq. ft.				
Development		(1) 50 sq. ft.	(1) 50 sq. ft.	(1) 50 sq. ft.	10 feet	15 feet*	Must be temporary
Directional		(2) 2 sq. ft.	(2) 2 sq. ft.	(2) 2 sq. ft.		5 feet*	
Identification		(1) 8 sq. ft.	Formula above	Formula above	10'-grnd 15'-pole	Bldg. face	
Informational			(1) 6 sq. ft.			5 feet*	
Nameplate	See Zoning Code		(1) 1 per unit			Bldg. face*	8 max in C1, C2, C3 districts
Real Estate	See Zoning Code	(1) 5 sq. ft.	(1) 5 sq. ft.	(1) 5 sq. ft.		10 feet*	Must be temporary
Side Street			25% of front		Below roof	Bldg. face	
Shopping Center Multi-Tenant Signs			(1) 40 sq. ft.		10'-grnd 16'-pole	15 feet*	Special approval. Identification only.

*Ground and pole signs shall not be located within required front and side yards unless approved by the Board of Building Standards.

- (1) - Residential (R-1L, R-1M, R-1H, R2, Lagoon)
- (2) - Apartment (ML, MH)
- (3) - Commercial (C1, C2, C3, C4)
- (4) - Industrial (I)

Schedule B

CITY OF LAKEWOOD
PERMITTED STRUCTURAL SIGN TYPES
BY FUNCTIONAL TYPES
STRUCTURAL TYPES

	Canopy	Ground	Pole	Portable**	Projecting	Roof**	Wall	Window
Billboard							X	
Bulletin Board		X				X		
Business	X				See note*		X	X
Development		X						
Directional		X					X	
Identification	X	X	X		See note*		X	X
Informational		X						

Nameplate	X	X			See note*		X	X
Real Estate		X					X	X
Side Street					See note*		X	
Temporary							X	X
Shopping Center Multi-Tenant Signs		X	X					
<p>*Projecting signs require special approval by the Board of Building Standards. **Roof signs and portable signs are not permitted in any district.</p>								

1329.12 APPLICATION FOR PERMITS.

Application for permits to erect, place, paint, illuminate or alter a sign shall be made by the owner or owner's agent of the property for which a sign is proposed. The application shall be submitted on forms furnished by the City and shall be made either separately or with the application for a building permit. The fee for a sign permit shall be established by separate ordinance.

- (a) In all use districts, a sign permit shall be required for all permanent signs which exceed three square feet in area.
- (b) A description of the application procedure and graphic illustration of required information is outlined in the City of Lakewood sign guidelines or similar adopted guidelines "Sign Review" handbook. Each application shall be accompanied by drawings to scale and photographs, showing the following:
 - (1) The design and layout proposed, including the total area of signs, the size, height, character, materials, colors and type of lettering or other symbols.
 - (2) Photographs or drawings of the building for which the signs are proposed and photographs of surrounding buildings, signs and uses.
 - (3) The number and types of lamps and lens material to be used in any illuminated signs.
 - (4) The exact location of the sign in relation to the building and property.
 - (5) Details and specifications for construction, erection and attachment as may be required by the Building Code.
- (c) A sign permit is applicable only to the specific sign for which it is granted. Once a sign permit is granted, no temporary or permanent signs shall be attached or added to the given sign.
- (d) All signs shall be approved by the Board of Building Standards. However, the Building Commissioner is authorized to issue canopy, wall, window and awning signs, as defined in Section 1329.03(c)(1), (7), (8) and (9), without additional Board approval, for any structure that has been previously reviewed by the Board of Building Standards / Architectural Board of Review, where a building standard for uniform signage has been established for two or more retail, mercantile or other business occupancies

and where the new signage is in conformity with the general plan for the building and complies with all other applicable sections of this chapter.

- (e) The Building Commissioner may issue permits for temporary signs, as defined in Section 1329.03(b)(10), not to exceed four permits to an applicant relative to a specific sign per twelve-month period.
- (f) The repainting of existing signs the same color, size and message shall be considered maintenance, and no permit shall be required.

1329.13 MAINTENANCE AND REMOVAL OF SIGNS.

All signs, canopies and awnings shall be kept and maintained in good repair to preserve safe, clean and orderly condition and appearance.

Signs which no longer serve the purpose for which they were intended, or which have been abandoned or are not maintained in accordance with this chapter and other applicable regulations of the City shall be removed by the latest permit holder or by the City at the expense of such permit holder.

Whenever the removal or maintenance of any sign has been ordered by the Building Commissioner, the person, firm or corporation who erected such sign or on whose premises such sign or display structure has been erected, affixed or attached shall remove or maintain such sign within forty-eight hours after receiving such notice. In the event of noncompliance, the Commissioner may remove or cause to be removed or maintain such sign at the expense of the person, firm or corporation who erected such sign or on whose premises it was erected, affixed or attached; each such person, firm or corporation shall be individually and separately liable for the expense incurred in the removal of such sign.

1329.14 GENERAL CONDITIONS AND MATERIALS.

- (a) Allowable Stress. All materials used in structural elements of outdoor signs or display structures, and the allowable stresses for such materials, shall be in conformity with the applicable provisions of this chapter. The allowable stresses in chains, cables and guy rods and their fastenings shall not exceed one-fourth their ultimate strength.
- (b) Noncombustible Signs. When noncombustible outdoor signs or display structures are required by this chapter, all parts including the supporting structure shall be of noncombustible material; provided, however, that wood, approved plastic or other material not more combustible than wood or approved plastic shall be permitted in the following locations:
 - (1) For small ornamental moldings, caps, nailing strips, individual letters, symbols, figures and insignia;
 - (2) On the face of a sign, provided that the aggregate area of such facing for any sign shall not exceed 100 square feet or for a group of signs shall not exceed 200 square feet; and
 - (3) For posts, braces and laticing on ground signs whose total height is not more than twenty feet above grade level and when specifically approved by the Building Official.

- (c) Combustible Signs. No material more flammable or combustible than wood or approved plastic shall be used in any permitted combustible sign. No combustible sign shall be illuminated by other than the reflector method of electric lighting and all parts of reflectors shall be of noncombustible material.
- (d) Tests for Approved Combustible Plastics. Approved combustible plastic is any plastic material more than 0.050 inch thick which when tested for flammability in sheets 0.060 inch thick in accordance with ASTM D 635 does not burn at a rate exceeding two and one-half inches per minute.
- (e) Use of Approved Combustible Plastics. Approved combustible plastics shall not be used in positions where they shall be subject to temperatures in excess of 140° F unless they have been approved for higher temperatures by the Board of Building Standards.
- (f) Glass in Projecting Signs. Glass in projecting signs shall be used only to such extent and in such manner that no hazard shall be created thereby, and then only if specifically approved by the Building Official.
- (g) Attachment of Projecting Signs.
 - (1) Materials. All anchorage, chains, cables or rods supporting or bracing projecting signs shall be of a noncorrosive material or protected in a manner acceptable to the Building Official. The dead load and the loads due to wind pressure shall be supported by structural shapes, chains, cables, or guy rods. Lateral supports shall be spaced not more than eight feet apart. Turnbuckles or other approved means of adjustment shall be placed in all chains, cables or rods supporting or bracing projecting signs.
 - (2) Method. Complete information regarding the proposed method of support and attachment or projecting signs shall be submitted with the application for the permit. No staples or nails shall be used to secure any projecting sign to any building or other structure. No part of a projecting sign shall be supported from an unbraced parapet wall.

1329.15 NONCONFORMING SIGNS.

A sign which is nonconforming on the effective date of this chapter which does not conform with the regulations of this or a subsequent amendment, shall be deemed a nonconformity.

- (a) Statement Purpose. The purpose of this chapter, in addition to providing specific standards for the design, construction and erection of every new graphic, sign, marquee, canopy and awning is to cause every graphic or other sign in violation of any provision of this chapter to be removed, altered or replaced so as to conform with the provisions of this chapter.
- (b) Authority to Continue Existing Nonconformities. Any permanent graphic, sign, marquee, canopy or awning, as defined in Section 1329.03, other than a temporary sign, which is deemed to be a nonconformity, which was erected pursuant to a City permit and in place on the effective date of this chapter, and which remains or becomes a nonconformity upon the adoption of this chapter or any subsequent amendment thereto, may be continued only in accordance with the following regulations:

- (1) Repairs. Ordinary repairs and nonstructural alterations may be made to a nonconforming sign. No structural alterations shall be made in, to or upon such nonconforming sign, except those required by law to make the sign conform to the regulations of this chapter.
- (2) Additions and enlargements. A nonconforming sign shall not be added to or enlarged in any manner, except to make the sign conform to the regulation of this chapter.
- (3) Moving. No nonconforming sign shall be moved in whole or in part to any other location unless such sign, and the use thereof, is made to conform to all regulations of this chapter.
- (4) Restoration of damaged nonconforming signs. A nonconforming sign which is destroyed or damaged by fire or other cause to the extent that the cost of restoration will exceed sixty percent (60%) of the original cost of such sign, shall not be restored unless it is made to conform to all the regulations of this chapter, or any subsequent amendment thereto. In the event that such damage or destruction is less than sixty percent (60%) of the original cost of such sign, no repairs or construction shall be made unless such restoration is started within six months from the date of the partial destruction and is diligently pursued to completion.
- (5) Discontinuance of use of nonconforming signs. A nonconforming sign, the use of which is discontinued for a period of thirty days, shall thereafter conform to the regulations of this chapter.
- (6) Change of use of nonconforming signs. Where the business, use or identity associated with the nonconforming sign at the time of the adoption of this chapter, thereafter terminates or changes, such termination or change of use shall require termination of the nonconforming sign, and the use of such sign shall thereafter conform to the regulations of this chapter.
- (7) Conformance date. All graphics, signs, marquees, canopies and awnings rendered nonconforming by the provisions of this chapter and permitted to continue shall be removed, altered or remodeled to conform to the provisions of this chapter no later than January 1, 1985.
- (8) When a structure and/or use is nonconforming and the signage restrictions for the district in which it is located would cause hardship, the regulations of the district most compatible with the current and/or proposed use shall be used.
- (c) Any sign, graphic or numeral display embossed, etched, engraved or otherwise an integral part of the original building's masonry architecture which was in existence prior to the effective date of this subsection (c) may be continued provided such sign, graphic or numeral display is maintained as originally designed and intended.

1329.16 WIRELESS TELECOMMUNICATION FACILITIES.

Signs incidental to wireless telecommunication facilities are regulated by Sections 1159.05(i)(2) and 1159.05(j).

1329.16-17 APPEAL PROCEDURE.

A variance from the strict application of the provisions of this chapter may be granted by the Board of Building Standards in regard to an existing nonconforming sign or a new sign to be installed, erected, constructed or painted, if the Board finds that requiring strict compliance with the provisions of this chapter may impose an undue hardship and that the granting of the variance from the provisions of this chapter will not depreciate or damage neighboring property, will not create a safety hazard and will not be contrary to the purposes of this chapter. The procedure for applying for variance and the hearing therein shall be the same as in cases involving zoning variances.

1329.99 PENALTY.

Any person, firm or corporation violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars (\$200.00) for each offense. Each day that a sign is erected or maintained in violation of this chapter shall constitute a separate offense.

Section 2. Chapter 1151, Signs in Residential Districts, currently reading as follows:

1151.01 DEFINITIONS.

As used in this Section, "sign" means any display, figure, painting, drawing, placard, poster, or other device visible from or on a public way, which is designed, intended, or used to convey a message, inform, or direct attention to a person, institution, organization, activity, place, object, or product. "Sign" does not include flags, personal name plates or family names with a total area of one (1) square foot or less mounted on a decorative light pole or the dwelling, holiday decorations or displays, or premises information signs (e.g.: security systems, "beware of dog," "keep off the grass," block watch, etc.) with a total area of one (1) square foot or less. The sign may be a structure or part thereof, or painted on or attached directly or indirectly to a structure.

1151.02 REGULATIONS.

- (a) Commercial signs shall not be permitted in R1L, R1M, R1H, L, R2, ML, or MH Districts except where authorized elsewhere by these Ordinances; with the exception that a single, double-sided real estate sign not exceeding five (5) square feet of area per side advertising the property on which it is located for sale or rent shall be permitted.
- (b) Non-commercial signs shall be permitted in R1L, R1M, R1H, L, R2, ML, or MH Districts, subject to the following regulations:
 - (1) No sign shall exceed six (6) square feet in total area.
 - (2) No sign shall be displayed on any utility pole, or in any tree lawn or public right-of-way.
 - A. The Director of Public Works may remove any sign(s) posted on any utility pole, or in any tree lawn or public right-of-way.
 - B. The Director of Public Works may determine the cost of removal and assess such costs to the person(s), business, organization, or entity that posted the sign(s).

1151.03 EXEMPTIONS.

This chapter does not apply to churches or schools existing as non-conforming uses in R1L, R1H, L, R2, ML, or MH Districts. Chapter 1329 of the Building Code shall govern signs on such premises.

1151.04 WIRELESS TELECOMMUNICATION FACILITIES.

As regulated by Sections 1159.05(i)(2) and 1159.05(j).

shall be and hereby is repealed.

Section 3. Section 541.08, Billposting, currently reading as follows:

541.08 BILLPOSTING.

- (a) No person shall affix any advertisement, poster, sign, handbill, garland, placard or object of any kind or description upon any telegraph, telephone, railway, electric light pole, street sign or other permanent fixture in the streets or alleys within the City, or place or affix in any manner any advertisement, poster, sign, handbill, garland, placard or object of any kind or description, upon any voting booth, public building or sidewalk, or within the street lines of the City, or over which the City, or Council thereof has the care, custody or control, unless and until such person first obtains a permit from the Director of Public Safety.

Application for such permit shall be made to the Director of Public Safety upon forms prepared by him and shall set forth:

- (1) The name and address of the applicant.
- (2) The period of time that such advertisement, poster, sign, handbill, garland, placard or object of any kind or description is to be displayed.
- (3) The area within which such advertisement, poster, sign, handbill, garland, placard or object of any kind or description shall be attached or displayed.

Each application shall be submitted by the Director of Public Safety to the Chief of Police for his recommendation. The Director of Public Safety may issue a permit for the purposes herein provided, if he shall find that the issuance of such permit does not interfere with the general welfare of the citizens of the City, provided that the applicant shall first have furnished bond or policy of insurance in form and amount satisfactory to the Director of Law, indemnifying and saving harmless the City from any and all liability by reason of or arising out of the issuance of such permit.

No permit shall be issued hereunder unless the applicant agrees thereon that:

- A. No advertisement, poster, handbill, garland, placard or object of any kind or description, other than those set forth in the application, shall be used.

- B. No advertisement, poster, sign, handbill, garland, placard or object of any kind or description shall be so placed as to obstruct or interfere with any sign erected and maintained under requirements of law or ordinance.
- C. No advertisement, poster, sign, handbill, garland, placard or object of any kind or description shall be erected and maintained except in conformity to the permit and to the approval of the Director of Public Safety.
- D. No commercial advertising shall be permitted on any advertisement, poster, sign, handbill, garland, placard or object of any kind or description.
- E. All advertisements, posters, signs, handbills, garlands, placards or objects of any kind or description shall be removed promptly upon expiration of the permit.

The section shall not apply to any advertisement, poster, sign, handbill, garland, placard or object of any kind or description required by the laws of the State, or by the ordinances of this City.

- (b) Whoever violates this section is guilty of a minor misdemeanor.

shall be and is hereby amended to read as follows:

541.08 BILLPOSTING.

- (a) No person shall affix any advertisement, poster, sign, handbill, garland, placard or object of any kind or description upon any telegraph, telephone, railway, electric light pole, street sign or other permanent fixture in the streets or alleys within the City, or place or affix in any manner any advertisement, poster, sign, handbill, garland, placard or object of any kind or description, upon any voting booth, public building or sidewalk, or within the street lines of the City, or over which the City, or Council thereof has the care, custody or control, unless and until such person first obtains a permit from the Director of Public Safety.

- (c) The Director of Public Works or any member of the Division of Police may remove any sign(s) posted in violation of this section and may determine the cost of removal and assess such costs to the person(s), business, organization, or entity that posted the sign(s).

Section 4. 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 such 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.

Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR



DEPARTMENT OF PLANNING & DEVELOPMENT
DRU SILEY, DIRECTOR

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5936
www.onelakewood.com/development

January 19, 2016

Lakewood City Council
Lakewood, OH 44107

RE: Changes to Chapter 1306.60, Exterior Electric and Fuel Burning Cooking Devices

Dear Members of Council:

Following this letter is an ordinance to expand on the regulation in the Property Maintenance and Safety Code for exterior electric and fuel burning cooking devices. The proposed additions to Section 1306.60 aim further clarify the types of cooking devices permitted on structures above the first floor.

Please refer the matter to the Housing Committee for a review and recommendation.

Sincerely,

Dru Siley
Director of Planning & Development

ORDINANCE NO.

BY:

AN ORDINANCE amending Section 1306.60 of the Codified Ordinances of the City of Lakewood by expanding on the regulations governing exterior electric and fuel-burning cooking devices.

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1306.60, Exterior Electric and Fuel Burning Cooking Devices, of the the Codified Ordinances of the City of Lakewood, currently reading as follows:

SECTION 1306.60. EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES.

No electric or fuel burning cooking appliance or device shall be permitted to be operated upon any porch, balcony, patio deck, roof or similar structure when such structure is located above the first floor level or if the first floor level is enclosed or covered in whole or in part by awnings, canopies, arbors, roofs and similar roof structures.

is hereby repealed.

Section 2. New Section 1306.60, Exterior Electric and Fuel Burning Cooking Devices, of the Codified Ordinances of the City of Lakewood, is hereby enacted to read as follows:

SECTION 1306.60. EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES.

No portable electric or fuel burning cooking appliance or device shall be permitted to be operated upon any porch, balcony, patio deck, roof or similar structure when such structure is located above the first floor level or if the first floor level is enclosed or covered in whole or in part by awnings, canopies, arbors, roofs and similar roof structures. Permanently installed appliances designed for the cooking of food for human consumption are permitted so long as the fuel utilized is either electricity or natural gas and the appliance is installed per the manufacturer's written requirements and applicable state codes.

Section 3. 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 such 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.

Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR



12650 DETROIT AVENUE • 44107 • 216/529-6613 • FAX 216/529-5669
Website: www.onelakewood.com

Jean M. Yousefi, SPHR
Director of Human Resources

January 13, 2016

Dear Members of Council,

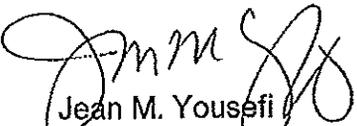
I am submitting the attached resolution which will permit the City of Lakewood Department of Human Resources to enter into an agreement regarding the City's 457 plans.

A 457 plan is the deferred compensation plan for governmental employees. It is the governmental employee equivalent of a 401(k) and is named for the IRS tax code number where the regulations can be found.

This will permit the City to renew existing agreements to ensure compliance with the tax code and to consider any new agreements. This agreement will not cause any expenditure of City funds.

I appreciate your assistance with this matter.

Respectfully Submitted,


Jean M. Yousefi
Director of Human Resources

RESOLUTION NO.

BY:

A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the Director of Human Resources to enter into one or more agreements or renewal agreements with representatives of government-employee deferred compensation plans in order to continue to provide a wide array of option for employees participating in such plans.

WHEREAS, the Director of Human Resources has expressed a desire to enter into one or more agreements or renewal agreements with representatives of government-employee deferred compensation plans, also known as 457 plans (after the tax-code chapter providing for them), in order to continue to provide a wide range of options for employees participating in such plans while minimizing the City's administrative oversight in sponsoring such plans; and

WHEREAS, any such new agreement would merely provide for third-party plan representation and for the City's direction of employees' contributions to 457 plans but would not bind the City for any term of years or involve the expenditure of City funds in any way; and

WHEREAS, the City already serves as the sponsor of several employee 457 plans, but wishes to maintain flexibility for employees while reducing administrative oversight, making this resolution necessary and appropriate; and

WHEREAS, all contracts not specifically excepted by ordinance must be approved by Council pursuant to Section 111.02 of the Codified Ordinances; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure and that it shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that the City wishes to enter into one or more 457 plan representation agreements or renewal agreements prior to February 1, 2016; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. From the effective date of this resolution to the one hundred eightieth (180th) day following the effective date, the Director of Human Resources is hereby authorized to enter into one or more agreements or renewal agreements with representatives of government-employee deferred compensation plans, known as 457 plans.

Section 2. It is found and determined that all formal actions of this council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such 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.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of Council this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

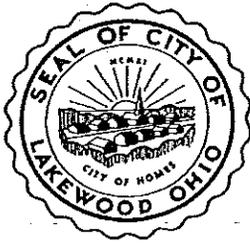
Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor



12650 DETROIT AVENUE . 44107 . 216/529-6092 . FAX 216/529-6806

Jennifer R. Pae
Director of Finance

January 19, 2016

Lakewood City Council

Re: Amended Purchasing and Contracting Ordinance FY2016

Dear Members of Council:

Attached is an amended ordinance reflecting increased contracting authority in the amount of \$40,000.

Increasing/Decreasing Service Contracts Contracting Authority for:

- \$30,000 Organic Waste Disposal
- \$10,000 Biosolids Disposal

The items included are part of the 2016 Appropriation Ordinance.

Please refer to the Finance Committee for further discussion.

Respectfully,

Jennifer R. Pae
Director of Finance

ORDINANCE NO. 36-15A

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 36-15, adopted December 21, 2015, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2016 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law.

WHEREAS, this Council desires to provide the authorization to the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2016 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law, and

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that delay could impair the City's ability to provide necessary services in a timely manner, now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1 of Ordinance 36-15, adopted December 21, 2015 currently reading as follows:

Section 1. The Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into a contract or contracts for supplies, services and equipment with the lowest and best bidder or bidders or as otherwise provided by law, as follows:

Professional services contracts included in the 2016 Budget are as follows:

- 1) Legal Services.....750,000
- 2) Recodification of Ordinances 12,500

3) Financial Audit	75,000
4) Hospitalization and Health Care Benefit Consulting Services.....	45,000
5) Consultant for Workers Compensation.....	30,000
6) Risk Management Consulting Services.....	13,000
7) Healthcare, Physicals, Drug & Alcohol Testing	25,000
8) Employee Assistance Program	13,000
9) Supervisor / Manager / Employee Training.....	125,000
10) Exams for Classified Positions	75,000
11) Housing and Building Plans Examinations.....	45,000
12) Lakewood Jail Medical Services	75,000
13) Band Concerts.....	15,000
14) Municipal Engineering Consultant.....	60,000
15) Debt Issuance Costs	225,000
16) Forensic Services	10,000
17) Long Term Control Plan and Storm Water Professional Services	100,000
18) Administrative Professional Services.....	300,000
Sub-Total	\$1,993,000

Services contracts included in the 2016 Budget are as follows:

1) Government Agreements (WEB).....	105,000
2) Government Agreements (Bd of Ed/Pools)	210,000
3) Financial Institution Service Charges	50,000
4) Electronic Payment Services	200,000
5) Property & Liability Insurance Contracts	450,000
6) Workers' Comp Stop Loss Insurance	85,000
7) Life Insurance	20,000
8) Hospitalization and Health Care Benefit Services.....	7,000,000
9) Medical Claims Billing Service.....	100,000
10) Sentenced Prisoners Full Jail Service	300,000
11) Home Delivered Meals	45,000
12) Distribution System Leak Survey	40,000
13) Disposal of Screenings and Grit (WWTP)	15,000
14) Excavation Spoils Removal.....	100,000
15) Roll of Box for Street Sweeping.....	50,000
16) Solid Waste Disposal Site.....	900,000
17) Waste Collections – Condominiums	95,000
18) Biosolids Disposal.....	90,000
19) Roll-Off Box for Construction Debris	60,000
20) Lab Analysis Service	25,000
21) Citywide Computer Hrdwr Op. Sys., & Software Maint Contracts	350,000
22) Communications Services.....	50,000
23) Water Meter Program Maintenance.....	50,000
24) Telephone Service	150,000
25) Cellular Phone Service	85,000
26) Laundry Service-Police Department.....	12,000
27) HVAC Maintenance	75,000
28) Elevator Maintenance	25,000
29) Fire Alarm Maintenance	60,000
30) Copier Maintenance Service.....	25,000
31) Postage, Mailing Services, Equipment Lease/Maintenance.....	250,000
32) Rental and Laundry of Uniforms	15,000
33) Advertising	30,000
34) Printing Services.....	115,000
35) CRIS/LEADS Fees	35,000
36) Parking Citation Billing Service.....	50,000
37) Fireworks Display.....	35,000

38) Transportation Services	35,000
Sub-Total	\$11,387,000

Materials, supplies, and equipment authorized for purchase under the 2015 Budget are as follows:

1) Sand and Aggregate	30,000
2) Concrete Supplies	50,000
3) Asphalt Materials	50,000
4) Asphalt Cold Patch	25,000
5) Crack Sealant	40,000
6) Road Salt (Sodium Chloride)	450,000
7) Fire Hydrants, Sewer and Water Appurtenances	100,000
8) Water Meter Supplies & Materials	150,000
9) Sign Shop-Supplies, Blanks & Reflective Material	100,000
10) Polymer Flocculants	25,000
11) Wastewater Treatment Chemicals	120,000
12) Tires and Road Service	80,000
13) Automotive Repairs, Parts and Supplies	600,000
14) Oil and Lubricants	45,000
15) Fuel (Gasoline and Diesel)	500,000
16) Purchase of Uniforms and Gear	40,000
17) Electrical Supplies	50,000
18) Hardware Supplies	35,000
19) Janitorial Supplies	45,000
20) Landscape Materials	25,000
21) Lumber Supplies	90,000
22) Plumbing Supplies	40,000
23) Pool Supplies – Chemicals	45,000
24) Small Tools and Equipment	110,000
25) Prisoner Food Supplies	40,000
26) Purchase Uniforms & Gear – Safety Forces	60,000
27) Ammunition	25,000
28) Office Supplies	35,000
29) Computer Supplies	10,000
30) Computer Software	10,000
31) Communications Equipment	75,000
32) Paper Supplies	15,000
33) Lease Copier Equipment	37,000
34) Subscriptions/Publications	35,000
35) Reforestation	130,000
36) Police Operating Equipment	200,000
37) Fire/EMS Operating Equipment	200,000
38) Waste Water Treatment Plant Operating Equipment	150,000
Sub-Total	\$3,867,000
Total	\$17,247,500

be and hereby is amended to read as follows:

Section 1. The Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into a contract or contracts for supplies, services and equipment with the lowest and best bidder or bidders or as otherwise provided by law, as follows:

Professional services contracts included in the 2016 Budget are as follows:

1) Legal Services.....	750,000
2) Recodification of Ordinances	12,500
3) Financial Audit	75,000
4) Hospitalization and Health Care Benefit Consulting Services.....	45,000
5) Consultant for Workers Compensation.....	30,000
6) Risk Management Consulting Services.....	13,000
7) Healthcare, Physicals, Drug & Alcohol Testing	25,000
8) Employee Assistance Program	13,000
9) Supervisor / Manager / Employee Training	125,000
10) Exams for Classified Positions	75,000
11) Housing and Building Plans Examinations.....	45,000
12) Lakewood Jail Medical Services	75,000
13) Band Concerts.....	15,000
14) Municipal Engineering Consultant.....	60,000
15) Debt Issuance Costs	225,000
16) Forensic Services	10,000
17) Long Term Control Plan and Storm Water Professional Services	100,000
18) Administrative Professional Services.....	300,000
Sub-Total	\$1,993,000

Services contracts included in the 2016 Budget are as follows:

1) Government Agreements (WEB).....	105,000
2) Government Agreements (Bd of Ed/ Pools)	210,000
3) Financial Institution Service Charges	50,000
4) Electronic Payment Services	200,000
5) Property & Liability Insurance Contracts	450,000
6) Workers' Comp Stop Loss Insurance	85,000
8) Life Insurance	20,000
8) Hospitalization and Health Care Benefit Services	7,000,000
9) Medical Claims Billing Service.....	100,000
10) Sentenced Prisoners Full Jail Service	300,000
12) Home Delivered Meals	45,000
12) Distribution System Leak Survey	40,000
13) Disposal of Screenings and Grit (WWTP)	15,000
14) Excavation Spoils Removal.....	100,000
15) Roll of Box for Street Sweeping.....	50,000
16) Solid Waste Disposal Site.....	900,000
17) Organic Waste Disposal.....	30,000
18) Waste Collections – Condominiums	95,000
19) Biosolids Disposal	100,000
20) Roll-Off Box for Construction Debris	60,000
21) Lab Analysis Service	25,000
22) Citywide Computer Hrdwr Op. Sys., & Software Maint Contracts	350,000
23) Communications Services.....	50,000
24) Water Meter Program Maintenance.....	50,000
25) Telephone Service	150,000
26) Cellular Phone Service	85,000
27) Laundry Service-Police Department.....	12,000
28) HVAC Maintenance	75,000
29) Elevator Maintenance	25,000
30) Fire Alarm Maintenance	60,000
31) Copier Maintenance Service	25,000
32) Postage, Mailing Services, Equipment Lease/Maintenance.....	250,000
33) Rental and Laundry of Uniforms	15,000
34) Advertising	30,000
35) Printing Services.....	115,000

36) CRIS/LEADS Fees	35,000
37) Parking Citation Billing Service	50,000
38) Fireworks Display.....	35,000
39) Transportation Services	35,000

Sub-Total\$11,427,000

Materials, supplies, and equipment authorized for purchase under the 2015 Budget are as follows:

1) Sand and Aggregate.....	30,000
2) Concrete Supplies.....	50,000
3) Asphalt Materials.....	50,000
4) Asphalt Cold Patch.....	25,000
5) Crack Sealant.....	40,000
6) Road Salt (Sodium Chloride).....	450,000
7) Fire Hydrants, Sewer and Water Appurtenances	100,000
8) Water Meter Supplies & Materials	150,000
9) Sign Shop-Supplies, Blanks & Reflective Material	100,000
10) Polymer Flocculants	25,000
11) Wastewater Treatment Chemicals	120,000
12) Tires and Road Service.....	80,000
13) Automotive Repairs, Parts and Supplies.....	600,000
14) Oil and Lubricants	45,000
15) Fuel (Gasoline and Diesel)	500,000
16) Purchase of Uniforms and Gear	40,000
17) Electrical Supplies	50,000
18) Hardware Supplies.....	35,000
19) Janitorial Supplies	45,000
20) Landscape Materials	25,000
21) Lumber Supplies.....	90,000
22) Plumbing Supplies.....	40,000
23) Pool Supplies – Chemicals	45,000
24) Small Tools and Equipment.....	110,000
25) Prisoner Food Supplies.....	40,000
26) Purchase Uniforms & Gear – Safety Forces	60,000
27) Ammunition.....	25,000
28) Office Supplies	35,000
29) Computer Supplies	10,000
30) Computer Software.....	10,000
31) Communications Equipment.....	75,000
32) Paper Supplies	15,000
33) Lease Copier Equipment.....	37,000
34) Subscriptions/Publications.....	35,000
35) Reforestation.....	130,000
36) Police Operating Equipment.....	200,000
37) Fire/EMS Operating Equipment	200,000
38) Waste Water Treatment Plant Operating Equipment.....	150,000

Sub-Total\$3,867,000

Total\$17,287,500

Section 2. Contracts for supplies, services and equipment in excess of \$7,500 and for professional services in excess of \$5,000 shall not be awarded except as approved herein or further approved by resolution of Council.

Section 3. 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 such 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.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk

Approved: _____

Mayor



KEVIN M. BUTLER
DIRECTOR OF LAW

PAMELA L. ROESSNER
CHIEF PROSECUTOR

JENNIFER L. SWALLOW
CHIEF ASSISTANT
LAW DIRECTOR

MANDY J. GWIRTZ
ASSISTANT LAW DIRECTOR/
ASSISTANT PROSECUTOR

**LAW DEPARTMENT
OFFICE OF PROSECUTION**

12650 Detroit Avenue | Lakewood, Ohio 44107
(216) 529-6030 | Fax (216) 228-2514
www.onelakewood.com

kevin.butler@lakewoodoh.net
(216) 529-6034

January 19, 2016

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Impounding and disposition of animals

Dear Members of Council:

Attached please find an ordinance amending Section 505.03, Impounding and Disposition; Records, of the Codified Ordinances. This ordinance, if adopted will give the Division of Police and its animal control officers the authority to impound animals where the owner is no longer able to or fails to care for the animal, and then permit the city to rehome or otherwise remove the animal from the shelter when the owner fails to claim it. Animal control is being contacted more frequently to assist where a family is evicted or an owner is incarcerated or otherwise unable to care for an animal. Extended care for an animal can become burdensome for the city and there is currently no mechanism in place to resolve these scenarios.

Please refer the ordinance to an appropriate committee for further discussion.

Very truly yours,

Kevin M. Butler

ORDINANCE NO.

BY:

AN ORDINANCE amending the Code to provide for the impounding and disposition of certain animals, and establishing related charges.

WHEREAS, Section 505.03 of the Codified Ordinances stands to be amended to permit the impounding and disposition of certain animals abandoned by their owners and to establish related charges; and

WHEREAS, pursuant to the Constitution of the State of Ohio, the Ohio Revised Code and the Second Amended Charter of the City of Lakewood, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, and to provide for local self-government; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 505.03, Impounding and Disposition; Records, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

505.03 IMPOUNDING AND DISPOSITION; RECORDS.

A police officer or the Animal Control Officer shall impound every dog and the Animal Control Officer shall impound every cat found in violation of Section 505.02.

- (a) If the impounded dog is not wearing a valid registration tag, the dog shall forthwith be turned over to an officer charged by law with the custody and disposal of such dogs. If the dog is wearing a valid registration tag or the identity of the owner or harbinger is otherwise established, notice shall be given prior to or on the next working day to such owner or harbinger that the dog has been impounded. Notice may be by telephone or by residence service to the last known address of such owner or harbinger. The dog shall not be released except upon the payment of the following charges: for impounding any dog, ten dollars (\$10.00); for giving notice, ten dollars (\$10.00); for keeping any dog, ten dollars (\$10.00) per day. Any dog not redeemed by the regular business day after notice, as herein provided, is given to the owner or harbinger, or the next regular business day following the date it is seized or impounded if the owner or harbinger cannot be found, may be sold or otherwise disposed of as provided in Ohio R.C. 955.16.
- (b) If the impounded cat is wearing an identification tag or the identity of the owner or harbinger is otherwise established, notice shall be given on the next regular business day to such owner or harbinger that the cat has been impounded. Notice may be by telephone or by residence service to the last known address of such owner or harbinger. The cat shall not be released except upon the payment of the following charges: for impounding any cat, ten dollars (\$10.00); for keeping any cat, ten dollars (\$10.00) per day. Any

cat not redeemed by the next regular business day after notice is given to the owner or harboring as provided herein, or the next regular business day following the date such cat is seized or impounded, if the owner or harboring cannot be found, may be sold or otherwise disposed of in a humane manner as shall be determined by the Animal Control Officer or Animal Shelter Coordinator.

- (c) A record of all dogs and cats impounded, the disposition of the same, the owner's name and address, if known, and a statement of any costs or receipts involving such dog or cat shall be kept.

be and is hereby amended to read as follows:

505.03 IMPOUNDING AND DISPOSITION; RECORDS.

A police officer or the Animal Control Officer shall impound every dog and the Animal Control Officer shall impound every cat found in violation of Section 505.02, or shall impound such animals otherwise in accordance with this section.

- (a) If the impounded dog is not wearing a valid registration tag, the dog shall forthwith be turned over to an officer charged by law with the custody and disposal of such dogs. If the dog is wearing a valid registration tag or the identity of the owner or harboring is otherwise established, notice shall be given prior to or on the next working day to such owner or harboring that the dog has been impounded. Notice may be by telephone or by residence service to the last known address of such owner or harboring. The dog shall not be released except upon the payment of ~~the following charges established by Council: for impounding any dog, ten dollars (\$10.00); for giving notice, ten dollars (\$10.00); for keeping any dog, ten dollars (\$10.00) per day.~~ Any dog not redeemed by the regular business day after notice, as herein provided, is given to the owner or harboring, or the next regular business day following the date it is seized or impounded if the owner or harboring cannot be found, may be sold or otherwise disposed of as provided in Ohio R.C. 955.16.
- (b) If the impounded cat is wearing an identification tag or the identity of the owner or harboring is otherwise established, notice shall be given on the next regular business day to such owner or harboring that the cat has been impounded. Notice may be by telephone or by residence service to the last known address of such owner or harboring. The cat shall not be released except upon the payment of ~~the following charges established by Council: for impounding any cat, ten dollars (\$10.00); for keeping any cat, ten dollars (\$10.00) per day.~~ Any cat not redeemed by the next regular business day after notice is given to the owner or harboring as provided herein, or the next regular business day following the date such cat is seized or impounded, if the owner or harboring cannot be found, may be sold or otherwise disposed of in a humane manner as shall be determined by the Animal Control Officer or Animal Shelter Coordinator.
- (c) In the event an animal is removed from a residence by the City because its owner is incarcerated, evicted, deceased, not found or otherwise unable to care for the animal on a daily basis, the animal may be impounded by an officer charged by law with the custody and disposal of such animals for a period of at least 72 hours, in which period the owner may claim the animal.

The animal shall not be released except upon the payment of charges established by Council. The City shall leave notice at the residence of the impounding of the animal and may make other reasonable attempts to provide such notice. If the owner or the owner's designee fails to claim the animal within the 72-hour period, the animal will be considered abandoned and the City may sell or otherwise dispose of the animal in a humane manner as determined by an officer charged by law with the custody and disposal of such animal.

(ed) A record of all dogs and cats impounded, the disposition of the same, the owner's name and address, if known, and a statement of any costs or receipts involving such dog or cat shall be kept.

Section 2. The charges required by Sections 505.03(a), 505.03(b) and 505.03(c) of the Codified Ordinances shall be \$10.00 per calendar day for impounding any animal, plus the actual costs of the provision of any notice and the disposal of any animal made pursuant to that section.

Section 3. 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 such 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.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5002551		TRFO	LAKEWOOD STOP AND SHOP LLC	
PERMIT NUMBER		TYPE	DBA LAKEWOOD STOP AND SHOP	
10	01	12 17 2015		
ISSUE DATE		12 17 2015		
FILING DATE		C1 C2		
PERMIT CLASSES		18	286	C
TAX DISTRICT	F15257		RECEIPT NO.	

FROM 12/21/2015

2434000			EDDIE ONE STOP LLC	
PERMIT NUMBER		TYPE	DBA UPM EXPRESS	
10	01	12 17 2015		
ISSUE DATE		12 17 2015		
FILING DATE		C1 C2		
PERMIT CLASSES		18	286	
TAX DISTRICT			RECEIPT NO.	



MAILED 12/21/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/21/2016

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C TRFO 5002551

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF LAKEWOOD CITY COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO 44107