

First Reading & Referred to the  
Public Safety Committee 10/17/16.

Second REading 11/7/16.

ORDINANCE NO. 37-16

BY: Anderson, Bullock,  
Nowlin, O'Leary, O'Malley.

AN ORDINANCE amending subsection (a) of Section 510.01, Declaration of Nuisances, of the Codified Ordinances of the City of Lakewood by including false alarm calls required to be responded to by the Division of Police as nuisance activity.

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. Subsection (a) of Section 510.01, Declaration of Nuisances, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

**SECTION 510.01 DECLARATION OF NUISANCES.**

(a) Definition of Nuisance Activity. The following activities occurring either on residential or commercial property, or within one thousand (1,000) feet of the property line of said residential or commercial property, and engaged in by an owner, or the owner's agent, or the owner's lessee, occupant, invitee or the person or entity in charge of said residential or commercial property (including individual apartment and condominium units) are hereby declared to be public nuisances:

(1) Any animal violations under Sections 505.02 (dogs running at large), 505.13, 505.15 and 505.20 (animal noise, excrement and biting), 505.18 or Chapter 506 (dangerous or vicious animals), 505.07 (killing or injuring animals), 505.09 (cruelty to animals) of the Codified Ordinances;

(2) Any disorderly conduct disturbance of the peace or other violation of Chapter 509 of the Codified Ordinances;

(3) Any drug abuse violation under Chapter 513 of the Codified Ordinances;

(4) Any noise violation under Chapter 515 of the Codified Ordinances;

(5) Any gambling violation under Chapter 517 of the Codified Ordinances;

(6) Any health, safety, or sanitation violation under Chapter 521, 1775 or 1779 of the Codified Ordinances;

(7) Any littering or deposition of waste under Section 521.08 of the Codified Ordinances;

(8) Any obstruction of official business violation under Section 525.07 of the Codified Ordinances;

(9) Any alcohol violations under Chapter 529 of the Codified Ordinances or under Chapter 4301 of the Ohio Revised Code;

(10) Any sex offenses under Sections 533.07 (public indecency), 533.08 (procuring), 533.09 (soliciting) or 533.10 (prostitution) of the Codified Ordinances;

(11) Any offenses against persons under Chapter 537 of the Codified Ordinances;

(12) Any offenses against property under Sections 541.03 (criminal damaging or endangering) or 541.04 (criminal mischief) of the Codified Ordinances;

(13) Any theft violation under Sections 545.05 (petty theft), 545.08 (unauthorized use of property), of the Codified Ordinances;

(14) Any weapons, explosives, firearm or handgun violation under Chapters 549 of the Codified Ordinances;

(15) Any fireworks violation under Section 549.10 of the Codified Ordinances;

(16) Any offense that is a felony under the Ohio Revised Code.

is hereby repealed, and new subsection (a) of Section 510.01, Declaration of Nuisances, is hereby enacted to read as follows:

#### **SECTION 510.01 DECLARATION OF NUISANCES.**

(a) Definition of Nuisance Activity. The following activities occurring either on residential or commercial property, or within one thousand (1,000) feet of the property line of said residential or commercial property, and engaged in by an owner, or the owner's agent, or the owner's lessee, occupant, invitee or the person or entity in charge of said residential or commercial property (including individual apartment and condominium units) are hereby declared to be public nuisances:

(1) Any animal violations under Sections 505.02 (dogs running at large), 505.13, 505.15 and 505.20 (animal noise, excrement and biting), 505.18 or Chapter 506 (dangerous or vicious animals), 505.07 (killing or injuring animals), 505.09 (cruelty to animals) of the Codified Ordinances;

(2) Any disorderly conduct disturbance of the peace or other violation of Chapter 509 of the Codified Ordinances;

(3) Any drug abuse violation under Chapter 513 of the Codified Ordinances;

(4) Any noise violation under Chapter 515 of the Codified Ordinances;

(5) Any gambling violation under Chapter 517 of the Codified Ordinances;

(6) Any health, safety, or sanitation violation under Chapter 521, 1775 or 1779 of the Codified Ordinances;

(7) Any littering or deposition of waste under Section 521.08 of the Codified Ordinances;

(8) Any obstruction of official business violation under Section 525.07 of the Codified Ordinances;

(9) Any alcohol violations under Chapter 529 of the Codified Ordinances or under Chapter 4301 of the Ohio Revised Code;

(10) Any sex offenses under Sections 533.07 (public indecency), 533.08 (procuring), 533.09 (soliciting) or 533.10 (prostitution) of the Codified Ordinances;

(11) Any offenses against persons under Chapter 537 of the Codified Ordinances;

(12) Any offenses against property under Sections 541.03 (criminal damaging or endangering) or 541.04 (criminal mischief) of the Codified Ordinances;

(13) Any theft violation under Sections 545.05 (petty theft), 545.08 (unauthorized use of property), of the Codified Ordinances;

(14) Any weapons, explosives, firearm or handgun violation under Chapters 549 of the Codified Ordinances;

(15) Any fireworks violation under Section 549.10 of the Codified Ordinances;

(16) Any false alarm call which is defined for the purposes of this Chapter as being an emergency call by an alarm company triggered by either an automated or manual alarm activation which, after investigation by the Division of Police it is determined that there is no need for criminal investigation and that the alarm activated for some other reason.

(17) Any offense that is a felony under the Ohio Revised Code.

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: November 21, 2016

Approved: November 22, 2016

  
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PRESIDENT

  
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CLERK OF COUNCIL

  
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MAYOR