

**MINUTES OF THE PUBLIC SAFETY COMMITTEE**  
**June 25, 2018**  
**East Conference Room**

**Present:** Councilmembers O'Malley & Bullock

**Also Present:** Assistant Law Director Andy Fleck, Police Chief Malley, Councilmember Rader

**Call to order:** 6:07 p.m.

**ORDINANCE NO. 22-18 - AN ORDINANCE repealing Section 510.01(a), Declaration of Nuisance Activity, of the Codified Ordinances of the City of Lakewood and enacting a new section in its place to remove the offenses of Domestic Violence, Menacing and Aggravated Menacing from the definition of Nuisance Activity under this provision.**

Councilmember Bullock provided background on this Ordinance which was co-introduced by Councilmember O'Malley and Mayor Summers earlier this year.

Councilmember O'Malley explained that the Ordinance is meant to reassure residents that the Code is not intended to punish victims of domestic violence. He stated that the administration assured him that this section of the Code is not being enforced against victims and therefore he believes the section ought to be repealed in order to avoid confusion and misunderstanding.

The proposed Ordinance removes domestic violence, aggravated menacing, menacing, and menacing by stalking as violations that count toward a nuisance declaration.

The Committee discussed the definitions of each violation and different circumstances the police may encounter when responding to these types of calls.

Chief Malley expressed concern about the ordinance's removal of aggravated menacing, menacing, and menacing by stalking. He stated that these acts often occur between non-family members.

The Committee discussed how the City pursues a nuisance declaration. Chief Malley indicated that the proposed ordinance will not affect police response. Nuisance status is determined later by the Law Department after a pattern is detected.

Councilmember Bullock expressed support for finding a way to protect and support victims of domestic violence

Councilmember O'Malley expressed concern that a victim of domestic violence may not call LPD for help if she is concerned that she will be penalized by the City. He agreed to discuss further changes to the ordinance to achieve this end and to address Chief Malley's concerns. He agreed to have the amended version ready for discussion on the Council floor at the July 2<sup>nd</sup> meeting.

A motion was made and seconded to refer Ordinance 22-18 back to Council. All members voted in favor. Motion passed.

**ORDINANCE NO. 37-17 – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, amending various sections within Part Three, Traffic Code, of the Codified Ordinances of the City of Lakewood, to reflect recent changes in the state traffic code.**

Mr. Fleck explained that the proposed ordinance brings Lakewood's traffic code in line with the Ohio Revised Code. The update includes all changes to the ORC from 2012 through 2017 pertaining to traffic.

The Committee discussed some highlights of the ordinance including:

- Section 331.52 Vehicular Operation on Street Due to Rise in Water Level introduces a new \$2,000 penalty on drivers who drive onto a street that is closed due to a rise in water level. The fine is meant to reflect the cost of rescue efforts.
- Sections 25-34 repeal local parking restrictions of the Code that are now regulated through the use of meters or other means.
- New residents must obtain an Ohio driver's license within 30 days of becoming a resident. An out of state license cannot be used past 30 days.
- Section 355.04 Operation of Meters is updated to reflect that meters can be paid through other means besides coins (such as at kiosks that take credit cards)
- Section 351.17 was updated to clarify that vehicles with commercial plates cannot be parked on streets for more than one hour

Councilmembers agreed that many residents complain about the practice of commercial vehicles parking on residential streets. The strengths and weaknesses of the amended provision to address this problem were discussed.

- Section 353.09 was updated to reflect that resident-only parking permits are hangers now and not stickers.

Councilmembers discussed the pros and cons of resident-only parking streets.

A motion was made and seconded to recommend adoption of Ordinance 37-17. All in favor. Motion adopted.

Public Safety Committee adjourned at 6:50 p.m.