

# Ordinance No. 1022-2021 AS AMENDED

By Council Members Bishop, Kazy and  
Brancatelli

## AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio 1976, by enacting new Section 613.16, Release of Balloons, prohibiting the release of large numbers of balloons into the atmosphere.

WHEREAS, balloon releases are one type of littering that disrupts electric utilities service and can threaten wildlife; and

WHEREAS, releasing mylar or latex balloons into the atmosphere can disrupt electric utilities service by causing power outages and downed power lines when balloons fly away and come into contact with power lines; and

WHEREAS, about 18,000 balloons or pieces of balloons made of mylar or latex were found during Alliance of the Great Lakes beach clean-ups between 2016 and 2018, according to a Plain Dealer report; and

WHEREAS, several states, including Virginia, Tennessee, Florida, Connecticut, California, and cities, including Toledo, Ohio, Louisville, Kentucky, Atlantic City, New Jersey and more have banned balloon releases; and

WHEREAS, this Council finds that the release into the atmosphere of large numbers of balloons inflated with lighter-than-air gases poses a danger and nuisance to the environment and public safety; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Codified Ordinances of Cleveland, Ohio 1976, are supplemented by enacting new Section 613.16 to read as follows:

### Section 613.16 Release of Balloons

~~(a)~~ No person shall intentionally release, organize the release or intentionally cause to be released within a twenty-four hour period ten or more balloons inflated with a gas that is lighter than air, except for:

~~(1)~~ (a) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes;

~~(2)~~ (b) Hot air balloons that are recovered after launching; or

~~(3)~~ (c) Balloons released indoors.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

/jho  
11/15/2021  
FOR: Councilmember Bishop

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AS AMENDED**

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THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 1, at new Section 613.16(a), line 1, strike "(a)"; at 613.16(1), line 1, strike "(1)" and insert "(a)"; at 613.16(2), line 1, strike "(2)" and insert "(b)"; and at 613.16(3), line 1, strike "(3)" and insert "(c)".

Date: \_\_\_\_\_ (Signed): \_\_\_\_\_

Stephanie Melnyk  
Chief Assistant Director of Law

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REPORT  
after second Reading

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READ FIRST TIME on NOVEMBER 15, 2021  
and referred to DIRECTORS of Public Safety, Finance, Law;  
COMMITTEES on Safety, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **108** Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
SAFETY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE