

# Ordinance No. 569-2025

By Council Members Conwell, Bishop and Hairston (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to the Cleveland Public Library, Martin Luther King, Jr. branch to encroach into the public right of-way of Euclid Avenue by installing, using and maintaining a free-standing monument sign.

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 Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the Cleveland Public Library, Martin Luther King, Jr. branch located at 10601 Euclid Avenue, East, Cleveland, Ohio 44106 (“Permittee”), to encroach into the public right-of-way of Euclid Avenue by installing, using and maintaining a free-standing monument sign at the following location:

### **Encroachment Description**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Parcel “A” in the Dedication and Consolidation Plat for Circle Square, of part of Original One Hundred Acre Lot No. 402, as shown in recorded plat in A.F.N. 202103120630 of Cuyahoga County Records and being further bounded and described as follows:

Beginning at the intersection of the Northerly right-of-way of Euclid Avenue N.E. (80 Feet Wide) and the Westerly right-of-way of Stokes Boulevard (Width Varies), formerly known as Fairmount Street and East 107th Street;

Thence South 87°07’57” West, along the Northerly right-of-way of said Euclid Avenue a distance of 242.66 feet;

Thence North 01°07’26” West, a distance of 5.94 feet and to the principal place of beginning;

Course No.1 Thence North 01°07’26” West, a distance of 5.00 feet;

Course No.2 Thence North 88°52’34” East, a distance of 5.00 feet;

Course No.3 Thence South 01°07’26” East, a distance of 5.00 feet;

Course No.4 Thence South 88°52’34” West, a distance of 5.00 feet to the principal place of beginning and containing 0.0006 Acres (25 Square Feet) of land.

Legal Description approved by Eric B. Westfall, P.S., Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be

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issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City’s Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location.

Section 5. 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.

JBM:uo  
4-28-2025  
FOR: Director DeRosa

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READ FIRST TIME on APRIL 28, 2025  
and referred to DIRECTORS of Capital Projects,  
City Planning Commission, Finance, Law;  
COMMITTEES on Municipal Services and Properties,  
Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT  
after second Reading

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
MUNICIPAL SERVICES  
AND PROPERTIES

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY