

Ordinance No.726-2025

Desk copy prepared for 8-13-25 meeting

AN ORDINANCE

To amend Sections 352.01, 352.13, 401.34, 457.01 to 457.04, 457.09, 457.12, and 457.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; to supplement the codified ordinances by enacting new Section 457.991; and to repeal Section 457.05, as enacted by Ordinance No. 1684-76, passed June 29, 1976, all relating to public garages and parking lots.

WHEREAS, the City desires to require owners and operators, as appropriate, of parking lots and garages in certain downtown areas to specifically identify their security measures in their license applications for the Chief of Police’s review of the adequacy of safety measures to be implemented; now, therefore,

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

Section 1. That the title of Chapter 352 and following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 352.01 and 352.13, as amended by Ordinance No. 639-2024, passed November 4, 2024,

Section 401.34, as enacted by Ordinance No. 1684-76, passed June 29, 1976,

Section 457.01, as enacted by Ordinance No. 1552-A-90, passed June 17, 1991,

Section 457.02, as amended by Ordinance No. 2603-91, passed August 19, 1992,

Section 457.03, as amended by Ordinance No. 2393-02, passed February 3, 2003,

Section 457.04, as amended by Ordinance No. 832-96, passed June 18, 1996,

Section 457.09, as amended by Ordinance No. 1684-76, passed June 29, 1976,

Section 457.12, as amended by Ordinance No. 522-08, passed June 9, 2008, and

Section 457.99, as amended by Ordinance No. 2109-92, passed February 8, 1993,

are amended to read as follows:

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Chapter 352 – Landscaping, Screening, and ~~Outdoor~~ Parking Lot and Public

Garage Lighting

Section 352.01 Purpose

The purpose of the requirements in this chapter is to provide for appropriate landscaping, screening, and ~~outdoor~~ parking lot and public garage lighting that will

- (a) Protect residential and all other environments from adverse effects, such as noise, odors and dust, of more intensive adjacent uses;
- (b) Protect users of parking areas from excessive wind, glare, and temperature extremes;
- (c) Mitigate the adverse effects on public streets and adjacent properties of noise, blowing dust and debris, water runoff, and glare from motor vehicle headlights and parking area lighting;
- (d) Provide adequate lighting in ~~outdoor~~ parking lots and public garages for the safety of residents, pedestrians, and motorists;
- (e) Discourage unsafe access to and circulation within off-street parking areas;
- (f) Contribute to improved community appearance and property values and preserve and enhance the mature “established” character of City neighborhoods;
- (g) Preserve privacy in residential areas next to non-residential uses and discourage trespass thereupon;
- (h) Provide trees that improve the urban environment by cooling the air and land, reducing carbon dioxide in the air, and producing oxygen; and
- (i) Compensate for the inability in an older, densely developed city like Cleveland to buffer incompatible uses by use of wide yards and open spaces.

Section 352.13 Lighting Requirements for ~~Outdoor~~ Parking Lots and Public Garages

- (a) All ~~outdoor~~ parking lots containing ten (10) or more spaces, which are used during non-daylight hours, shall be illuminated during those hours with one (1) to two and a half (2.5) footcandles, as recommended by the Illuminating Engineering Society (IES).

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(b) All public garages required to have a license under Chapter 457 of these Codified Ordinances shall be illuminated with a minimum one (1) footcandle (11 lux) on all egress walking surfaces and a minimum of ten (10) footcandles (108 lux) on all stairways and their landings.

(c) All illumination requirements contained in this section shall be designed and shielded so as not to shine, glare, reflect or be directed into or towards any premises used for residential purposes.

(b) (d) The installation of lighting, replacement of lighting, and changes to existing light fixtures must be made in compliance with this section.

Section 401.34 Parking Place

“Parking place” means any garage or other building or part thereof, or any premises or parcel of land in or upon which a business of storing more than ten (10) motor vehicles in any twenty-four (24) hour period ~~is conducted for eight (8) months or more in any calendar year~~, where the owner or person storing such vehicles is charged a fee, but excluding the rental of private garages and the all-night storing of vehicles upon the premises of and in connection with the operation of regularly established gasoline stations.

Section 457.01 License Required

No person, firm or corporation shall engage in the business of storing motor vehicles for hire in a building or a lot within the City unless and until licensed in accordance with the provisions of this chapter. As used in this chapter, the terms “parking facility,” “parking place,” “public garage” and “parking lot” reference the business activity defined in Section 401.34 hereof.

Section 457.02 License Application

Every applicant for a license to operate a public garage or parking lot shall make application in writing to the Commissioner of Assessments and Licenses, which application shall set forth the following information:

- (a) The name and address of the applicant, and if a partnership, the names and addresses of all partners, and if a corporation, the name, date and state under which incorporated, and the names and addresses of the officers and the statutory agent;
- (b) An accurately scaled and dimensioned site plan and elevation drawing(s) showing the configuration of entrances, exits, aisles and spaces; identifying the right-of-way, curbs and sidewalks, signage, landscaping, curbing, wheel stops, and screening materials, bicycle parking, and lighting; and indicating the dimensions of all such elements;
- (c) The hours during which motor vehicles may be stored and the hours during which the premises will be served by an attendant;

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(d) For a parking facility located within the Downtown Core Parking District, Warehouse Parking District, Erieview Parking District, and Gateway Parking District, as established in division (b) Section 457.035 of the Codified Ordinances and which are referred to in this chapter as the "Designated Parking Districts", such information as the Chief of Police, or their designee, deems pertinent or necessary to detail the security measures at such facility;

(e) The certificate of occupancy for the parking facility. Changes in the site, landscaping, or parking lot conditions shall require an updated certificate of occupancy.

(f) Accurately scaled and dimensioned images of all parking facility signage;
and

~~(d)~~(g) Such other information as the Commissioner deems pertinent or necessary to carry into effect the provisions of this chapter.

Section 457.03 License Issuance; Renewal

(a) *Public Garages.* On receipt of an application for a license to operate a public garage, and the payment of the fee required by division (g) (h) of this section, and subject to division (c) of this section, as applicable, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for a property which is in compliance with the terms of this chapter and is also in compliance with Section 350.17 and Section 352.13 of the Codified Ordinances.

(b) *Parking Lots.* On receipt of an application for a license to operate a parking lot, the payment of the fees required under divisions (h) and (i) of this section, and subject to division (c) of this section, as applicable, the Commissioner of Assessments and Licenses shall transmit the application to the Director of the City Planning Commission to determine whether the facility in question complies with the substantive provisions of the chapter. The Director of the City Planning Commission shall, within sixty (60) days of receipt of the application, notify the Commissioner of Assessments and Licenses whether the facility in question complies with all of the substantive provisions of this chapter. On notification of compliance from the Director of City Planning under this division and the Chief of Police under division (c) of this section, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for property which is in compliance with the terms of this chapter and is also in compliance with division (a) of Section 349.07, Section 349.09, and Section 350.17 and Section 352.13 of the Codified Ordinances, as applicable to the subject property.

(c) *Review by the Chief of Police of Safety Measures in Applications within Designated Parking Districts.* The Commissioner of Assessments and Licenses shall transmit each application for a parking facility within the Designated Parking Districts to the Chief of Police to determine whether the parking facility has adequate reasonable operational, staffing, infrastructure, or other security measures reasonably calculated

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and necessary to address or minimize instances of criminal behavior. The Chief shall, within sixty (60) days of receipt of the application, notify the Commissioner of Assessments and Licenses of such determination. The applicant shall supply all additional information requested by the Chief for evaluation of the safety measures. No license shall be issued unless the Chief determines that adequate reasonable safety measures are or will be in place. If the Chief determines that such adequate reasonable safety measures are not in place insufficient, the applicant may submit revised security measures for review one time without incurring any additional costs or may appeal the Chief’s determination in accordance with Section 457.12 of these Codified Ordinances.

~~(e)~~(d) *Issuance and Renewal.* All licenses issued under this section shall be issued for a period of one (1) year commencing November 1. Licenses may be renewed if an application for renewal containing the information listed in Section 457.02 is submitted to the Commissioner of Assessments and Licenses not less than ninety (90) days before termination of the previous license or registration. Applications for license renewal or for the licensing of a registered parking lot shall be accompanied by an approved site and landscape plan as documented in the certificate of occupancy. Changes in the site, landscaping, or parking lot conditions shall require an updated certificate of occupancy to be included with the application. ~~the required site plan and elevation drawing only in the following two (2) instances: 1) in the year in which landscaping and screening compliance is required under division (i) of Section 457.07, and 2) if a change in the parking lot renders the previously submitted site plan or elevation drawing inaccurate.~~

~~(d)~~(e) *License Extension.* If an application for a license renewal has been submitted in accordance with the provisions of Sections 457.02 and 457.03 of this chapter, and if, before the existing license has expired, the City has not taken all administrative and legislative action required for approval of the renewal of the license (including, if applicable, the granting of an encroachment permit), the Commissioner of Assessments and Licenses shall extend the existing license on a month-by-month basis until the City has taken action as required by this chapter.

~~(e)~~(f) *Applicability to Premises.* Licenses issued under this section shall apply only to the premises described in the application, and a separate application and license shall be required for each noncontiguous site operated. The license shall not be assignable or transferable.

~~(f)~~(g) *Notification of Police Chief.* The Commissioner of Assessments and Licenses shall notify the Chief of Police of each license issued under this chapter.

~~(g)~~(h) *License Fee.* Each application for a new or renewal license shall be accompanied by a fee of one dollar \$1.00 per parking space.

- ~~(1) In 2003 and 2004, fifty cents (\$0.50) per parking space;~~
- ~~(2) In 2005 and 2006, seventy five cents (\$0.75) per parking space;~~
- and
- ~~(3) In 2007, one dollar (\$1.00) per parking space.~~

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~~(h)~~(i) *Site Plan Review Fee.* Each application for a new or renewal license, including a new or revised site plan, shall be accompanied by an additional fee of one hundred and twenty dollars (\$120.00).

Section 457.04 Signs

(a) *Purpose.* The regulations of this section are established to ensure that licensed parking facilities are furnished with signs which provide customers with accurate, useful, and legible information regarding rates and other operational matters. Furthermore, these regulations are established to ensure provision of signs which clearly and effectively identify parking available to visitors seeking daily or other short-term parking. The requirement for provision of such visitor-oriented signage is intended to promote economic activity in the City by facilitating easy access to parking which serves the Central Business District and major visitor attractions.

(b) *Display of Rates and Other Information.* The following regulations shall apply to all parking lots and garages subject to licensing regulations.

(1) *Display of Rates.* Each parking facility shall be furnished with signs readable from each vehicular entrance, displaying all parking rates applicable at any given time. When multiple rates are applicable at a given time, the display shall include, at a minimum, the lowest and highest rates. All rates applicable at a given time shall be displayed in numerals which are the same size for each rate. Rates displayed on signs for surface lots or on free-standing signs for garages shall be a minimum height of five (5) inches for dollar amounts and three (3) inches for display of cents and other rate information. For garages, rates and rate information displayed on or adjacent to booths and ticket dispensers shall have a minimum character height of two (2) inches.

(2) *Visibility of Rate Information.* For a surface lot or for a garage which is set back from the street, the sign displaying the required rate information shall be placed so that the rates are visible and readable to the motorist prior to entering the property. For a garage entrance located at the sidewalk edge, such sign shall be placed so that the rates are readable to the motorist prior to passing the ticket dispenser or attendant's booth.

(3) *Required Information.* In addition to the rate information required in division (b)(1) of this section, each parking facility shall display the following items of information: 1) a full listing of all rates applicable at all times, 2) the telephone number for after-hours contact, 3) the name of the operator, and 4) the closing time of the facility if exits are blocked after closing, and (5) the presence of security measures on the premises, including if the premises is patrolled by a security guard during the hours of operation. Such additional information shall be displayed in lettering and numerals a minimum of two (2) inches and a maximum of eight (8) inches in height, placed at all attendant's booths, all payment boxes and/or at all vehicular entrances.

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(4) *Destination Information.* The sign(s) identifying the parking facility and/or its rates, as required in division (b)(1) of this section, may also display information identifying businesses or other uses served by the parking facility. Such information shall be displayed in lettering no more than five (5) inches in height and shall be incorporated within the standard- size sign, as permitted in this section.

(c) *Special Event and Other Special Rate Parking.* Information regarding flat rates for special event parking or other special time-period parking, such as "early bird specials," shall be displayed in accordance with the following regulations. Such sign may also be used to indicate that the garage is "full."

(1) Such rate information shall be displayed on the permanent free-standing sign or signs which identify the parking facility's regular rates, using changeable panels or electronically-changeable copy, in accordance with design standards adopted by the City Planning Commission.

(2) In the case of a garage which is not served by a free-standing rate sign, the special event or other special time-period parking rate may be displayed on a metal or plastic panel, mounted on a pole which is inserted into a base which is permanently affixed to the ground. Such sign shall be a maximum of six (6) square feet in area and four (4) feet in height above the ground and shall not project into the public right-of-way.

(3) Availability of parking for special events shall be identified by use of the term "Event," accompanied by the applicable rate. Such information may be displayed in characters which are larger than those used for display of other rates.

(d) *Sign Structures and Locations.* The following regulations shall apply to all parking lots and garages subject to licensing regulations.

(1) *Sign Types.* Signs for parking facilities may take the form of a free-standing sign, a sign projecting from or otherwise applied to a building wall, a sign mounted on an attendant's booth, ticket machine or payment box, a sign placed on a canopy or marquee, or a sign mounted above a fence post or pier. Portable signs (i.e., "sandwich boards" and other signs not permanently affixed to the ground or to a permitted structure) shall not be permitted, except as permitted in division (c)(2) of this section.

(2) *Location of Signs.* No freestanding sign, nor any portion of such sign, shall be located within or above the public right-of-way, except as permitted in division (e)(1) of this section for a sign element displaying the international parking symbol. No sign projecting from a building wall shall extend to a point which is within two (2) feet of the outer edge of a street curb nor shall such sign extend more than five (5) feet from the building wall.

(3) *Vertical Clearance.* No portion of a sign located above a sidewalk or other pedestrian walking area shall be located less than eight (8) feet above the surface of such area. No portion of a sign located above a driveway or other

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vehicular way shall be located less than sixteen (16) feet above the surface of such area.

(4) *Primary and Secondary Signs.* As used in this section, the terms “primary signs” and “secondary signs” shall have the following meanings. “Primary signs” are a parking facility’s principal signs identifying the parking facility and/or its rates. A primary sign may display other permitted information in addition to the identification and rate information. “Secondary signs” are signs which display only directional and instructional messages necessary to guide motorists and pedestrians within the parking facility. Signs which provide detailed rate information, supplementing that provided on the primary signs, shall also be considered secondary signs.

(5) *Size, Number and Height of Signs.* Each parking facility shall be permitted a total of thirty-two (32) square feet of “primary sign” area for each vehicular entrance, except that two (2) vehicular entrances located less than thirty (30) feet apart, as measured along the property line, shall be counted as a single entrance for this purpose. Such primary sign area permitted for each entrance may be displayed on either one (1) or two (2) sign structures. If two (2) sign structures are used, rate information must be readable at each vehicular entrance. No single primary sign shall exceed thirty-two (32) square feet in area nor shall it exceed fifteen (15) feet in height if free-standing. “Secondary signs,” if free-standing, shall not exceed six (6) square feet in area nor four (4) feet in height, and shall be placed, as approved by the City Planning Director, only where necessary to provide instructions to customers of the parking facility. Secondary signs displayed on building walls or on overhead structures shall be no larger than necessary to display permitted information in a readable manner, as determined by the City Planning Director.

(6) *Measurement of Sign Area.* Only one (1) side of double-sided signs shall be counted in the measurement of sign area if the two (2) sides are in parallel, back-to-back arrangement.

(7) *Temporary Signs.* For a newly- established license parking facility, the following temporary signs shall be permitted for a period not exceeding sixty (60) days following the opening of the parking facility:

- A. Signs substituting for approved but not-yet-installed permanent signs, conforming, to the maximum extent feasible, with all regulations and design standards for permanent signs except those pertaining to fabrication materials; and
- B. For each vehicular entrance, one (1) wall-mounted banner, not exceeding forty (40) square feet in area, or one (1) free-standing temporary sign, not exceeding ten (10) square feet in area, announcing the opening of the parking facility.

(e) *Signs for Visitor-Oriented Parking Facilities.* In addition to other applicable regulations of this section, the following supplemental regulations shall apply to signs for parking facilities which are available to the general public on an hourly, daily or

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special event basis (i.e., “visitor-oriented parking facilities”). These supplemental regulations shall not apply to parking facilities which are restricted to use by employees, residents, faculty or students of businesses, institutions or other buildings served by the parking facility nor shall these regulations apply to parking facilities which are restricted exclusively to use on a weekly or monthly basis.

(1) *Use of the International Parking Symbol.* All visitor-oriented parking facilities shall be furnished with a sign or signs, visible from each vehicular entrance, displaying the international parking symbol, displayed as a white letter “P” at least fourteen (14) inches in height, placed on a purple (PMS #2685) circular background, a minimum of twenty-two (22) inches in diameter. The design shall be in accordance with design standards adopted by the City Planning Commission. In the case of a free-standing sign, the parking symbol may project over a public sidewalk, extending no more than thirty (30) inches beyond the property line and maintaining a minimum vertical clearance of eight (8) feet. No other element of such sign may project over the public sidewalk.

(2) *Design Standards.* The City Planning Commission shall adopt and disseminate design standards which, through use of narrative materials and illustrations, describe and depict signs which conform to the requirements of this section applicable to signs for visitor-oriented parking facilities. The standards shall also provide supplemental information on such design elements as color, materials, illumination, methods of attachment, border areas, positioning of information items, etc.

(3) *Approval Process.* The Director of the City Planning Commission shall determine whether a proposed sign for a visitor-oriented parking facility meets the requirements of this section and the adopted design standards, and shall approve or disapprove each application on that basis. In the case of a proposed sign which does not meet the requirements of this section, the City Planning Commission may approve the sign if it determines that such sign meets the standards of division (e)(7) of this section.

(4) *Comprehensive Sign Systems for Large- Scale Facilities.* In the case of a large-scale complex of facilities served by a network of parking lots or garages under common management, the City Planning Commission may approve signs which differ from the standards established in this section as necessary to create a uniform series of signs which identify parking facilities serving such complex.

(5) *Replacement of Nonconforming Signs.* For parking signs installed prior to the initial effective date of this ordinance, any such signs which do not conform to the applicable regulations of this section shall be replaced by conforming signs in accordance with the following schedule, except as provided in division (e)(6) of this section.

A. For parking facilities located within the Downtown Core and Downtown Lakefront Parking Districts, as established in Section 457.035, and for parking facilities located in the area directly north of the Downtown Lakefront Parking District, all nonconforming signs shall be

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replaced or removed by August 1, 1997, except that any nonconforming sign installed pursuant to a Building Permit issued between June 1, 1991 and May 31, 1996, shall be replaced or removed by August 1, 1998.

B. For parking facilities located within the Gateway, Warehouse, Erieview, and Flats Parking Districts, as established in Section 457.035, all nonconforming signs shall be replaced or removed by August 1, 1998.

C. For parking facilities located within the remainder of the City, all nonconforming signs shall be replaced or removed by August 1, 1999.

(6) *Retention of Nonconforming Signs.* With respect to signs whose replacement is required under the provisions of division (e)(5), any owner wishing to retain such sign shall submit a written request to the City Planning Commission no later than six (6) months prior to the date on which replacement is required. Such application shall include the address of the parking place, a sketch showing the sign’s dimensions and its approximate location on the property, and color photographs of the sign. The City Planning Commission shall, within two (2) months of receipt, approve retention of the sign if it determines that such sign meets the standards of division (e)(7) of this section.

(7) *Standards for Approval of Nonconforming Signs.* With respect to an application for the installation or retention of a sign which does not conform to the regulations of this section, the City Planning Commission shall approve such application if it determines that the sign, either alone or in combination with other signs, provides information which is sufficient to fulfill the stated purposes of this section, and that the sign meets the following standards, as applicable:

A. The sign is attached to the wall of a building and is better suited to the design of such building than a conforming sign would be; or

B. The sign meets a higher standard of design quality than would result from minimal conformance to the standards of this section; or

C. The sign has been designed so that it is more appropriate to its environs or the uses which it serves than a conforming sign would be; or

D. The sign is part of a comprehensive signage system for a large-scale complex of facilities, and such system meets the standards of division (e)(4); and

E. In the case of a new sign, the deviation from the otherwise applicable regulations of this section is the minimum necessary to meet one (1) or more of the special standards established for approval of nonconforming signs.

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(f) *Application.* Plans for installation of signs regulated in this section shall be submitted to the City Planning Director either prior to or concurrently with submission of any required Building Permit application. The plans shall be sufficient to demonstrate compliance with all regulations of this section and with the design standards adopted by the City Planning Commission pursuant to the provisions of this section. No signs regulated in this section shall be installed before approval by the City Planning Director and issuance of any required Building Permit.

Section 457.09 Maintenance of Parking Place and Surroundings, Payment of Fees and Safety Requirements

(a) Each operator of a parking place shall keep all parking spaces, driveways, and maneuvering areas (i) properly graded for drainage so that all water is drained within the parking place providing parking spaces; (ii) surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing; and (iii) maintained in good condition and free of debris and trash.

~~(a)~~(b) Each operator of a parking place shall keep the sidewalk surrounding the parking place free from dirt, ice, sleet and snow and shall keep the sidewalk and driveways in a safe condition for the travel of pedestrians.

~~(b)~~(c) The loading or unloading of passengers or drivers across or upon a public sidewalk is expressly prohibited and any operator or employee who by receiving or delivering motor vehicles other than within the space provided by such place, aids or assists in blocking any sidewalk or street shall be deemed to have violated the provisions of this section.

~~(c)~~ (d) In outdoor parking lots the operator shall at all times be required to keep the lot in good order and condition and free from nuisance, and if the lot is not a hard surface, to take the necessary precautions to prevent the raising of dust and dirt by the movement of cars thereon.

(e) Each operator of a parking place shall take all reasonable steps to ensure that all parking fees collected at the parking place are being paid directly to the operator or the operator's designee.

(f) Each operator of a parking place within the Downtown Core Parking District, Warehouse Parking District, Erieview Parking District, and Gateway Parking District, as established in division (b) Section 457.035 of the Codified Ordinances, shall comply with the safety measures detailed in its license application, approved by the Chief of Police, or their designee, or as may be amended from time to time with the prior approval of the Chief.

(g) The Chief of Police or their designee, upon finding three (3) or more nuisance activities defined in Section 630.01 of the Codified Ordinances or any other criminal violation have occurred on separate occasions within any six (6) month, may cause a written notice to be served on the licensee identifying the nuisance activities and criminal violations and providing an opportunity to submit revised security measures to address such activities. If the licensee fails to submit such revised

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measures, or the Chief determines that any submitted revised plans are inadequate, the Chief or their designee may conduct a hearing with the licensee on the matter. If the parties cannot agree on revised security measures at such hearing, the City official may require additional security measures after providing notice in writing and giving a reasonable time to implement the revised security measures. Failure to comply with such notification shall be grounds for revocation of the license under Section 457.11 of these Codified Ordinances.

Section 457.12 Appeals

In case of refusal to issue a license or of revocation or suspension of a license by the Commissioner of Assessments and Licenses, the applicant or licensee may appeal from such order to the Board of Zoning Appeals established pursuant to Charter Section 76-6. Notice of such appeal shall be in writing and filed with the Board within ten (10) days after the making of such order. The Board shall fix a time of hearing for such appeal not later than ten (10) days after the filing of such notice, at which hearing all parties interested shall be afforded an opportunity to be heard. Such Board shall approve, modify or reverse such order from which the appeal has been perfected. Such opinion of the Board shall be final on all parties thereto. If the Director of the City Planning Commission, or the Chief of Police, as appropriate, has not notified the Commissioner of Assessments and Licenses of his or her determination within the required sixty (60) day period, the applicant may appeal to the Board of Zoning Appeals for a determination.

Section 457.99 Penalty

Whoever violates any of the provisions of Sections 457.01, 457.04, ~~to 457.06, 457.08 or 457.09~~ shall be guilty of a minor misdemeanor and fined not more than ~~one hundred dollars (\$100.00)~~ one hundred and fifty dollars (\$150.00). In addition to any other method of enforcement provided for in this chapter, these minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedures. Whoever violates any of the provisions of these sections, having previously been convicted of a violation of any of these sections within five (5) years, shall be guilty of a misdemeanor of the fourth degree.

Section 2. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 457.991 to read as follows:

Section 457.991 Civil Penalties, Enforcement and Appeals

(a) Any person who violates Section 457.01 shall be subject to a civil penalty of one thousand dollars (\$1,000.00) for the first offense and a civil penalty of three thousand dollars (\$3,000) for each subsequent offense.

(b) Any person who violates any of the provisions of Sections 457.04, 457.06, 457.07, 457.08 or 457.09, each constituting a separate offense, shall be subject to a civil penalty of two hundred dollars (\$200.00) for each offense.

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(c) In addition to Cleveland Police Officers, the Commissioner of Assessments and Licenses ("Commissioner"), and any officer or employee designed by the Commissioner, may enforce Section 457.01.

(d) In addition to Cleveland Police Officers, the Director of Building and Housing, the Commissioner, and any officer or employee designated by them, may enforce Sections 457.04, 457.06 457.07, 457.08 and 457.09.

(e) The civil penalties prescribed in this section are in addition to any rights, remedies, or other penalties provided by law.

(f) A civil penalty imposed under Section 457.01 may be appealed to the Director of Finance, or designee, and a civil penalty imposed under Sections 457.04, 457.06, 457.07, 457.08 or 457.09 may be appealed to the Director of Building and Housing, or designee, within ten (10) days after receipt of the civil penalty. The appropriate director shall grant the appeal or conduct a hearing within thirty (30) days and shall have jurisdiction to affirm or reverse the civil penalty. A person aggrieved by a final decision of a director may further appeal to the Board of Zoning appeals within thirty (30) days after the director's written decision.

Section 3. That existing title of Chapter 352 and the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 352.01 and 352.13, as amended by Ordinance No. 639-2024, passed November 4, 2024,

Section 401.34, as enacted by Ordinance No. 1684-76, passed June 29, 1976,

Section 457.01, as enacted by Ordinance No. 1552-A-90, passed June 17, 1991,

Section 457.02, as amended by Ordinance No. 2603-91, passed August 19, 1992,

Section 457.03, as amended by Ordinance No. 2393-02, passed February 3, 2003,

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Section 457.12, as amended by Ordinance No. 522-08, passed June 9, 2008, and

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Section 457.99, as amended by Ordinance No. 2109-92, passed February 8, 1993,

are repealed.

Section 4. That existing Section 457.05, Claims Checks to be Furnished, of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976, is repealed.

Section 5. That after one year after the effective date of this Ordinance, the Director of Public Safety shall report to Council on the effectiveness of the security measures affected by this Ordinance.

Section 5. 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PMA/SKM:nl
6-2-25

FOR: Mayor Bibb

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REPORT
after second Reading

By
To amend Sections 352.01, 352.13, 401.34, 457.01 to 457.04, 457.09, 457.12, and 457.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; to supplement the codified ordinances by enacting new Section 457.991; and to repeal Section 457.05, as enacted by Ordinance No. 1684-76, passed June 29, 1976, all relating to public garages and parking lots.

READ FIRST TIME

and referred to

by the council

CITY CLERK

READ SECOND TIME

by the council

CITY CLERK

READ THIRD TIME

by the council

PRESIDENT

CITY CLERK

APPROVED

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