

Ordinance No. 915-2026

By Council Members Santana and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 457.02, 457.03, 457.10, and 457.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to public garages and parking lots.

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 following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 457.02, 457.03, 457.99, as amended by Ordinance No. 726-2025, passed August 13, 2025, and

Section 457.10, as amended by Ordinance No. 539-16, passed May 16, 2016,

are amended to read as follows:

Section 457.02 License Application

Every applicant for a an initial 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; the site plan and elevation drawing(s) are not required to be stamped by a professional architect or engineer;

(c) The hours during which motor vehicles may be stored and the hours during which the premises will be served by an attendant;

(d) For a parking facility located within the Downtown Core Parking District, Warehouse Parking District, Erievue 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) (e) Accurately scaled and dimensioned images of all parking facility signage; and~~ Images or photos of all parking facility signage; and

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~~(g)~~(f) 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, the payment of the fee required by division (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 on notification of compliance from the Chief of Police or on deemed approval, as appropriate, 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 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 reasonable operational, staffing, infrastructure, or other security measures reasonably calculated and necessary to address or minimize instances of criminal behavior. The Chief shall, within sixty (60) thirty (30) days of receipt of the application, notify the Commissioner of Assessments and Licenses of such determination. Failure of the Chief to provide such notification within the thirty (30) days shall be deemed approval of the submitted safety measures. 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 reasonable safety measures are or will be in place. If the Chief determines that such reasonable safety measures are 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 this chapter, these Codified Ordinances. The approved safety measures may be used for and applied to section (d) renewals below provided that the applicant affirmatively acknowledges that no material changes occurred over the one-year license period; however, the Chief reserves the right to determine that the measures are no longer sufficient.

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(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 annually without the requirements of Section 457.02 if all other requirements of this chapter are met, there are no changes to the information and documents listed in Section 457.02 of this chapter, and 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.~~

(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.

(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.

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

(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.

(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 457.10 Bicycle Parking

As a condition of the issuance or renewal of an annual license, all parking lots and garages subject to the provisions of this chapter shall provide spaces for bicycle parking in accordance with the following regulations.

(a) *Purpose.* The requirements for bicycle parking are established for the purpose of ensuring adequate and safe facilities to accommodate bicycle parking and to encourage use of bicycles for travel as an alternative to use of motorized vehicles.

(b) *Time of Compliance.* For applicable parking lots and garages that were licensed prior to the initial effective date of this section, required bicycle parking spaces shall be provided no later than two (2) years after the initial effective date of this section. For other applicable parking lots and garages, required bicycle parking spaces shall be provided prior to the issuance of a license.

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(c) Number of Bicycle Parking Spaces. Bicycle parking spaces shall be provided at a rate of one (1) bicycle parking space for each twenty (20) automobile spaces provided. However, no automobile parking lot or garage shall be required to provide more than twenty-four (24) bicycle parking spaces.

(d) Substitution for Automobile Spaces. The total number of automobile off-street parking spaces required under the Zoning Code shall be reduced at the ratio of one (1) automobile off-street parking space for each six (6) bicycle spaces provided. The total number of required automobile off-street parking spaces, however, shall not be reduced by more than five percent (5%) for any parking lot or garage.

(e) Bicycle Parking Space Size. Required bicycle parking spaces for nonresidential uses must have minimum dimensions of two (2) feet in width by six (6) feet in length.

(f) Bicycle Parking Space Location. Required bicycle parking spaces shall be located at least as close to the entrance of the building as the nearest non-handicapped automobile parking space. Where automobile parking is provided in an enclosed area, bicycle parking shall be provided within the enclosure or in such a way as to provide comparable protection from the elements.

(g) Bicycle Racks and Lockers. Each required bicycle parking space shall be equipped with a bicycle rack or "bicycle locker", as defined in this section.

(1) Design. Bicycle racks and lockers must be securely anchored to the ground or a building. Bicycle racks must provide a stable frame to which the bicycle may be conveniently secured, such as the inverted-U, post and loop, or another type of rack that meets these standards. Bicycle racks that support the wheel but not the frame of the bike may not be used to fulfill a bicycle parking requirement. In parking lots and parking garages, physical barriers, such as posts or bollards, shall be provided so as to prevent a motor vehicle from striking a parked bicycle.

(2) Residential Uses. Neither bicycle racks nor bicycle lockers are required for bicycle parking associated with residential uses. Required bicycle parking for residential uses may be provided in garages, storage rooms, or any other resident-accessible, secure areas.

(h) Bike Locker. As used in this section, "bike locker" means a locker or storage space large enough to house a single bicycle and which may be secured and accessed by a single user.

(i) Alternate Locations and Number of Spaces. ~~For public parking garages and parking lots legally established prior to June 9, 2008, the~~ The Director of City Planning Commission may approve locations other than the garage or lot for the required bicycle parking spaces, and or less than the required number of bicycle parking spaces the Commissioner of Assessments may accept payment of a one-time contribution based on a per-space fee approved from time to time by the Board of Control multiplied by the number of bicycle parking spaces required under division (c) of this section in lieu of direct provision of bicycle parking spaces if the Director

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determines that, ~~under the following circumstances,~~ alternate locations or number of bicycle parking spaces would better meet the stated purpose of this section.:

~~———— (1) ——— A single entity controls multiple parking garages or parking lots that serve the same business or use;~~

~~———— (2) ——— The aggregate number of bicycle parking spaces for the multiple parking garages or parking lots that serve the same business or use will meet or exceed the bicycle parking requirements under this section;~~

~~———— (3) ——— A location on another property or in the public right-of-way represents the only feasible means to meet the requirement for bicycle parking spaces. A location in the public right-of-way shall be permitted only if such location meets all requirements for issuance of an encroachment permit.~~

Section 457.99 Penalty

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

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

Sections 457.02, 457.03, 457.99, as amended by Ordinance No. 726-2025, passed August 13, 2025, and

Section 457.10, as amended by Ordinance No. 539-16, passed May 16, 2016,

are repealed.

Section 4. 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.

KPR/SKM:uo
8-19-26

FOR: Director Mersmann

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By Council Members Santana and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 457.02, 457.03, 457.10, and 457.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to public garages and parking lots.

READ FIRST TIME on AUGUST 19, 2026 **REPORTS**
and referred to DIRECTORS of City Planning Commission, Finance and Law;
COMMITTEES on Development, Planning and Sustainability; Finance, Diversity,
and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE