

Ordinance No.767-2026

By Council Members Davis, Bishop and
Santana
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Public Theatre, to encroach into the public right-of-way of Detroit Avenue by installing and maintaining a new blade 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 Theatre, located at 6415 Detroit Avenue, Cleveland, Ohio 44102 (“Permittee”) to encroach into the public right-of-way of Detroit Avenue by installing, using and maintaining a blade sign, mounted on the northeast corner of the Gordon Square Theatre building, approximately 12’-0” to 14’-0” feet above grade at the following location:

Encroachment Description

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Original Brooklyn Township Lot 32, and being part of Detroit Avenue (66 feet), and being more completely described as follows:
Commencing at the northwest corner of Sublot 194 of the Gordon Avenue Allotment, as recorded in Plat Volume 21, Page 2, of the Cuyahoga County Plat Records, which is also the right-of-way intersection of the easterly line of W 65th Street (80 feet) and the southerly line of said Detroit Avenue, thence North 70° 15’ 23” East, along the southerly line of said Detroit Avenue, 227.98 feet, to a point and being the PLACE OF BEGINNING for the encroachment area herein described;

The following 4 courses are within the right-of-way of said Detroit Avenue, and are restricted to elevations above 685.29 feet, the intent is to be 12.00 feet above the existing sidewalk;

Course No. 1. thence North 19° 20' 09” West, 6.00 feet, to a point;

Course No. 2. thence North 70° 15’ 23” East, 3.00 feet, to a point;

Course No. 3. thence South 19° 20’ 09” East, 6.00 feet, to a point on the southerly line of said Detroit Avenue;

Course No. 4. thence South 70° 15’ 23” West, along the southerly line of said Detroit Avenue, 3.00 feet to the PLACE OF BEGINNING, containing 0.0004 acres, 12 square feet, more or less, but subject to all highways, covenants, and easements of legal record.

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

Ordinance No. 767-2026

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 issued only when, in the opinion of the Director of Law, the 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
7-15-26

FOR: Director DeRosa

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READ FIRST TIME on JULY 15, 2026
and referred to DIRECTORS of Capital Projects, City Planning Commission, Finance and 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

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE