

Ordinance No.1149-2019 (As Amended)

Council Members McCormack, Johnson,
Brancatelli
(by departmental request)

AN EMERGENCY ORDINANCE

To amend the title and Section 1 of Ordinance No. 380-16, passed April 4, 2016, relating to authorizing permits for banners into the public right-of-way of various locations within the Downtown Cleveland Alliance Service Area and authorizing a banner program.

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 title and Section 1 of Ordinance No. 380-16, passed April 4, 2016, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Capital Projects to issue a permit or permits to Downtown Cleveland Alliance, its successors and assigns, to encroach into the public right-of-way of various locations within the Downtown Cleveland Alliance Service Area ~~and the Detroit Superior Bridge~~ **Lorain Carnegie Bridge** with banners to be attached to utility poles (by separate permission); and authorizing Downtown Cleveland Alliance to coordinate a banner program for the Downtown Cleveland Alliance Service Area ~~and the Detroit Superior Bridge.~~ **Lorain Carnegie Bridge**

Section 1. That the Director of Capital Projects is authorized to issue a permit or permits, revocable at the will of Council, to Downtown Cleveland Alliance, its successors and assigns (“Permittee”), to encroach into the public right-of-way by installing, using, and maintaining banners to be attached to utility poles (by separate permission for the use of the pole from the entity that owns or controls the pole) at various locations within the rights-of-way in the area described and designated on the map in File No. 380-16-A ~~and the Detroit Superior Bridge.~~ **Lorain Carnegie Bridge**. The Director of Capital Projects shall determine the specific locations to be included in each encroachment permit after considering visibility of existing signs, traffic signals and safety signs, clearance requirements, and other relevant factors. Permittee may assign the permit only with the written consent of the Director of Capital Projects. The Director of Capital Projects shall notify the local council representative when an encroachment permit is requested.

Section 2. That the existing title and Section 1 of Ordinance No. 380-16, passed April 4, 2016, are repealed.

Section 3. 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.

SM:nl
9-16-19

FOR: Director Spronz

Amendments to Ord. No. 1149-20

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

1. In Section 1, at lines 6, 9, and 16, strike “Detroit Superior Bridge” in all three places and insert “Lorain Carnegie Bridge”.

Date: _____ (Signed): _____

Stephanie Melnyk
Chief Assistant Director of Law

Ord. No. 1149-2019

REPORT
after second Reading

Council Member(s) Johnson, Brancatelli (by departmental request)

AN EMERGENCY ORDINANCE

To amend the title and Section 1 of Ordinance No. 380-16, passed April 4, 2016, relating to authorizing permits for banners into the public right-of-way of various locations within the Downtown Cleveland Alliance Service Area and authorizing a banner program.

READ FIRST TIME on SEPTEMBER 16, 2019 REPORTS
and referred to DIRECTORS of Capital Projects, City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties, Development Planning and Sustainability

CITY CLERK

READ SECOND TIME

by the council **October 28, 2019.**

CITY CLERK

READ THIRD TIME

by the council **October 28, 2019.**

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE
