



City of Chardon

Chardon Municipal Center • 111 Water Street • Chardon, Ohio 44024-1201

M-E-M-O-R-A-N-D-U-M

www.chardon.cc

To: Andrew Blackley, Member
From: Deborah Chuha, Chairman
Date: April 21, 2020
Subject: Legislative Committee Meeting

**CITY COUNCIL
CITY MANAGER**

440-286-2600

Fax: 440-286-2658

FINANCE

440-286-2470

Fax: 440-286-2658

Income Tax

440-286-2696

Fax: 440-279-0903

Water & Sewer Billing

440-286-2949

Fax: 440-286-2658

PARK & RECREATION

440-286-2630

Fax: 440-286-2658

POLICE

440-286-6123

Fax: 440-286-2680

PLANNING & ZONING

440-286-2654

Fax: 440-286-5541

PUBLIC SERVICE

440-286-2655

Fax: 440-286-5541

*Division of Streets,
Cemeteries & Parks*

440-286-2656

Fax: 440-286-2681

*Division of Water
& Wastewater*

440-286-2657

Fax: 440-286-7538

The Legislative Committee of the City of Chardon Council has scheduled a meeting for **Thursday, April 30, 2020 at 4:30 PM.** The Committee will meet via video-conferencing service, Zoom. (Meeting ID 889 1282 1684)

1. Call to Order
2. Acceptance of Minutes - December 15, 2018
3. Review Property Maintenance Regulations
4. Review Sign Regulations
5. Executive Session
6. Any Other Business
7. Adjourn

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 1129.09 AND 1129.13 OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON TO REGULATE THE USE AND SIZE OF TEMPORARY NON-COMMERCIAL SIGNS

BE IT ORDAINED by the Council of the City of Chardon, Geauga County, Ohio that:

SECTION 1. That existing Section 1129.09(d), “Temporary Signs in Nonresidential Districts,” of the Codified Ordinances of the City of Chardon is amended as follows:

“1129.09 SIGNS IN NONRESIDENTIAL DISTRICTS.

(d) Temporary Signs in Nonresidential Districts. The following regulations for temporary signs in non-residential districts supplement and are in addition to the maximum sign area and height regulations set forth in Section 1129.09 (a) – (c).

(1) Setbacks: All temporary freestanding signs shall be located no closer than five feet from the street right-of-way line and ten feet from a side lot line, unless specifically regulated otherwise.

(2) Illumination: Temporary signs shall not be illuminated.

(3) Number and Size: One temporary sign shall be permitted per developed commercial property. Maximum size for a freestanding sign is 6 square feet and the maximum size for a temporary sign attached to a building is 40 square feet. The maximum height for a freestanding temporary sign is 6 feet

(4) Additional temporary non-commercial signs for up to thirty (30) days prior to the day absentee ballots are available or the day early voting is permitted, whichever comes first, for a general, primary, or special election are not limited by the number of signs. No individual sign may be larger than 16 sq. ft. and 6 feet in height.

~~(45)~~ One additional temporary sign may be located on a property during active construction authorized by a Zoning Certificate as long as the sign does not exceed 32 square feet.

~~(56)~~ One temporary sign shall be permitted per undeveloped commercial property. Maximum size for a freestanding sign is 16 square feet. The maximum height for a freestanding temporary sign is 6 feet.”

SECTION 2. That any ordinances in conflict with Section 1 of this Ordinance are repealed.

SECTION 3. That existing Section 1129.13(c), “Signs in Residential Districts,” of the Codified Ordinances of the City of Chardon is amended as follows:

“1129.13 SIGNS IN RESIDENTIAL DISTRICTS.

(c) Supplemental Regulations for Temporary Signs: Temporary signs are permitted in

residential districts subject to the following provisions:

(1) Temporary signs associated with single-family detached, attached, and detached cluster dwellings shall comply with the following:

A. Setbacks. All temporary freestanding signs shall be located no closer than five feet from the street right-of-way line and ten feet from a side lot line, unless specifically regulated otherwise.

B. Illumination: Temporary signs shall not be illuminated.

C. One temporary sign shall be permitted per residential property. Maximum size for a freestanding sign is 8 square feet and the maximum height for a freestanding temporary sign is 6 feet.

D. Additional temporary non-commercial signs for up to thirty (30) days prior to the day absentee ballots are available or the day early voting is permitted, whichever comes first, for a general, primary, or special election are not limited by the number of signs. No individual sign may be larger than ~~42~~ **16** sq. ft. and 6 feet in height.

E. One temporary sign may be located on a property during active construction on the property authorized by a Zoning Certificate as long as the sign does not exceed 8 square feet and less than 6 feet in height.

(2) Temporary Commercial Signs for Nonresidential Uses and Multi-Family Developments. One temporary freestanding sign or banner attached to the front of the building shall be permitted for a period not to exceed 14 consecutive days, not more than four times per year unless Planning Commission approves an extension. The maximum sign area shall be twelve (12) square feet. The height for a free standing sign shall not exceed six (6) feet.

(3) Setbacks. All temporary freestanding signs shall be located no closer than five feet from the street right-of-way line and ten feet from a side lot line, unless specifically regulated otherwise.”

SECTION 4. That any ordinances in conflict with Section 3 of this Ordinance are repealed.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. This ordinance shall become effective upon the first date allowed by law.

PASSED AND ADOPTED this _____ day of April, 2020.

Dan Meleski, MAYOR
President of Council

Attest:

AMY DAY

ORDINANCE NO. _____

AN ORDINANCE CREATING SECTION 1147.30 OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON TO ESTABLISH REGISTRATION REQUIREMENTS FOR VACANT RESIDENTIAL PROPERTIES

BE IT ORDAINED by the Council of the City of Chardon, Geauga County, Ohio that:

SECTION 1. That existing Chapter 1147, titled “General Use Restrictions,” of the Codified Ordinances of the City of Chardon is amended to create a new Section 1147.30, “Registration Requirements for Vacant Residential Properties,” which shall read as follows:

“1147.30 REGISTRATION OF VACANT RESIDENTIAL PROPERTIES.

(a) The owner(s) of any residential property upon which a primary residence has become vacant shall, within 60 days after the residence becomes vacant, or within 30 days after the effective date of this Section 1147.30, whichever is later, register with the Community Development Administrator and designate an authorized agent located in Geauga County, Ohio, for each vacant primary residence. The registration shall remain valid for one year from the date of registration. The owner shall be required to annually renew the registration as long as the primary residence remains vacant and shall pay an annual registration fee of fifty dollars (\$50.00) for each registered primary residence. The owner shall notify the Community Development Administrator within 20 days of any change in the registration information by filing an amended registration statement on a form provided by the Community Development Administrator for such purposes. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner or owners of the dwelling structure. The failure of the owner(s) of a vacant primary residence to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the owner from compliance with this Section 1147.30.

(b) If a foreclosure action has been filed with respect to property containing a vacant primary residence, the plaintiff in the foreclosure action shall be required to comply with the provisions of this Section 1147.30 if both of the following apply:

- (1) The plaintiff in the foreclosure action is a mortgagee of the property; and
- (2) The plaintiff in the foreclosure action has assumed possession or control of the property.

(c) In addition to any other information required by the Community Development Administrator, the registration statement shall include the name, street address, and telephone number of a natural person 18 years of age or older, designated by the owner or owners as the authorized agent for receiving, on behalf of such owner or owners, notices of violations of City ordinances and for receiving process, in any court proceeding or administrative enforcement proceeding related to the use or maintenance of the property or the dwelling structure, including but not limited to notices and processes served in connection with the enforcement of the Codified Ordinances of the City of Chardon. The authorized agent must maintain a physical office in Geauga

County, Ohio, or must actually reside within Geauga County, Ohio. An owner who is a natural person and who meets the requirements of this division (c) as to location of residence or office may designate himself as agent. By designating an authorized agent under the provisions of this Section 1147.30, the owner is consenting to receive any and all notices of violations of City ordinances and to receive process, in any court proceeding or administrative enforcement proceeding related to the use or maintenance of the property or dwelling structure, including but not limited to proceedings related to the enforcement of the Codified Ordinances, by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Community Development Administrator in writing of a change of authorized agent or until the owner files a new annual registration statement.

(d) For purposes of this Section 1147.30, "vacant" means a structure which is lacking habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful residential occupancy has ceased, or which is substantially devoid of contents. In determining whether a primary residential structure is vacant, it is relevant to consider, among other factors, the percentage of the overall square footage of the structure or floor area to the occupied space, the condition and value of any items in the structure and the presence of rental or for sale signs on the property; provided that a structure shall not be deemed vacant if it has been used as a residence by a person entitled to possession for a period of at least three months within the previous nine-month period and a person entitled to possession intends to resume residing at the property; and further provided that a structure containing more than one dwelling unit shall be considered vacant when all of the dwelling units within the structure are vacant. If an owner fails to obtain a Zoning Certificate for Occupancy for any structure for which Zoning Certificate for Occupancy is required pursuant to Section 1115.03, the structure will be presumed vacant.

(e) Whoever violates or fails to comply with any of the provisions of this chapter, for which no penalty is otherwise provided, is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues."

SECTION 2. The Community Development Administrator is authorized and directed to carry out the enforcement of Section 1147.30 through his or her authority pursuant to Section 1109.03.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This ordinance shall become effective upon the first date allowed by law.

PASSED AND ADOPTED this _____ day of February, 2020.

Dan Meleski, MAYOR
President of Council

Attest:

AMY DAY
Clerk of Council

DRAFT