

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 205

By: Mr. Maloney and Mr. Carbone

AN ORDINANCE AMENDING CHAPTER 452 OF TITLE EIGHT OF PART FOUR-TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO ESTABLISH A NEW SECTION 452.15 PROHIBITING PARKING OF CERTAIN VEHICLES ON A LOT INTENDED OR DEVELOPED FOR A SINGLE-FAMILY OR TWO-FAMILY USE, PROVIDING PENALTIES FOR VIOLATIONS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That Chapter 452 of Title Eight of Part Four-Traffic Code of the Codified Ordinances of the City of Strongsville is hereby amended by establishing a new Section 452.15 to read in its entirety as follows, and with renumbering of sections thereafter:

**CHAPTER 452  
Parking Generally**

- 452.01 Prohibition against parking on streets or highways.
- 452.02 Law Enforcement Officer may remove illegally parked vehicle.
- 452.03 Prohibited standing or parking places.
- 452.04 Manner of parallel and angle parking.
- 452.05 Willfully leaving vehicles on private or public property.
- 452.055 Parking prohibitions on private property; private tow-away zones.
- 452.06 Unattended vehicles; duty to lock ignition, remove key, set brake, etc.
- 452.07 Opening doors on side available to traffic.
- 452.08 Selling or repairing vehicle upon roadway.
- 452.09 Truck loading zones.
- 452.10 Bus stops and taxicab stands.
- 452.11 Parking in alleys and narrow streets; exceptions.
- 452.12 Night parking.
- 452.13 Snow and other emergency conditions.
- 452.14 Parking for handicapped persons.
- 452.15 Prohibition against parking of certain vehicles on a lot intended or developed for a single-family or two-family use.**
- 452.~~15~~16 Continuing infractions.

**452.15 PROHIBITION AGAINST PARKING OF CERTAIN VEHICLES ON A LOT INTENDED OR DEVELOPED FOR A SINGLE-FAMILY OR TWO-FAMILY USE.**

(a) No property owner, on a lot intended or developed for a single family or two family use, shall permit the parking or storage of any vehicle which has a gross vehicle weight of over 10,001 pounds, or has commercial or truck license plates on that vehicle on such lot, unless the vehicle is parked or stored within a completely enclosed structure.

(b) Notwithstanding anything herein to the contrary, up to a maximum of two (2) such vehicles may be parked or stored on such lot if:

- (1) The vehicle or vehicles are registered to an occupant at that lot's address; or
- (2) The vehicle or vehicles are registered to a service provider or contractor performing services on that lot, including but not limited to those performed pursuant to a building permit issued to that lot, and then only during the time period that such services are being actively pursued; or
- (3) The vehicle or vehicles are parked for a period, not to exceed one (1) hour, for pick- up or delivery purposes only.

(c) Each property owner who violates or permits a violation or otherwise fails to comply with the provisions of this Section is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. Violations resulting in subsequent offenses of this Section 452.15 on the same lot shall constitute fourth degree misdemeanors. A separate offense of this Section shall be deemed committed on each day during or on which a violation or noncompliance occurs or continues. None of these violations will be subject to the provisions of Chapter 450 (Parking Violations Bureau) of these Codified Ordinances.

**452.1516 CONTINUING INFRACTIONS.**

Unless otherwise provided, a separate parking infraction shall be deemed committed each day during or on which a violation of any of the provisions of this chapter occurs or continues.

~~(Ord. 2000-175. Passed 10-2-00.)~~

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**Section 2.** That any ordinances or parts thereof inconsistent with this Ordinance be and are hereby repealed.

**Section 3.** That 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.

**Section 4.** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to provide for the safety of the City's residents, and to provide regulation of vehicles which when parked on residential lots can impede and/or obstruct other vehicles or pedestrians. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

\_\_\_\_\_ Approved: \_\_\_\_\_  
 President of Council Mayor

Date Passed: \_\_\_\_\_ Date Approved: \_\_\_\_\_

	<u>Yea</u>	<u>Nay</u>
Carbone	_____	<input checked="" type="checkbox"/>
Daymut	_____	<input checked="" type="checkbox"/>
DeMio	_____	<input checked="" type="checkbox"/>
Dooner	_____	<input checked="" type="checkbox"/>
Maloney	_____	<input checked="" type="checkbox"/>
Schonhut	_____	<input checked="" type="checkbox"/>
Southworth	_____	<input checked="" type="checkbox"/>

Attest: *Aimee Pientka*  
 Clerk of Council

ORD. No. 2014-205. Amended: \_\_\_\_\_  
 1st Rdg. 11-3-14 Ref: PS+H  
 2nd Rdg. 11-17-14 Ref: \_\_\_\_\_  
 3rd Rdg. Suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: \_\_\_\_\_ Defeated: 11-17-14

**Aimee Pientka**

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**From:** Scott Maloney  
**Sent:** Thursday, November 13, 2014 4:17 PM  
**To:** Jim Carbone; Matt Schonhut; Duke Southworth; Michael Daymut; Ken Dooner; Aimee Pientka  
**Subject:** Vehicle curb weights

All,

When we placed ordinance 2014-205 on first reading at our last meeting, concerns were raised about whether a gross vehicle weight limit of 10,001 lbs was sufficient to cover the largest consumer grade trucks that would be driven by residents for a business purpose.

I took the time to do more research on curb weight for the largest pick-up trucks and vans made by Ford, GM and Dodge. The largest pickup trucks had weights that exceeded the largest vans, so I first confirmed that the largest and heaviest vehicles made by the automotive manufacturers are the quad-cab, full bed, dual rear wheel pickup trucks.

Model	curb weight
Ford F-350	6,010 to 7,460 lbs
Ford F-450	8,611 lbs
Ford F-550	7,617 lbs
Dodge Ram 3500 (2009)	6,542 lbs
Chevy Silverado crew cab, full bed	7,094 lbs

You can see from the information above that even when you get into what are considered commercial grade trucks with the Ford F-450 and F-550, the curb weights don't come close to the 10,001 lb limit we have defined in the ordinance. However, the words gross vehicle weight were used in the proposed language and this can have a different meaning when looking at truck specs, as it can include the weight of the occupants and payload.

I will talk to the law department about changing gross vehicle weight to say curb weight which would leave a comfortable margin of weight beyond the curb weights for the largest trucks made by the auto manufacturers.

This ordinance is intended to address two problems - homes in a residential neighborhood where three or more commercial vehicles are being parked in the driveway on a regular basis, and homes where an extremely large commercial vehicle, e.g., a large dump truck, flatbed truck, etc. is being parked in the driveway on a regular basis.

Aimee, please print a copy of this for Joe.

George Smearigan, our city planner, will be in attendance at our caucus meeting this Monday which is starting at 7 pm to provide enough time to talk about this ordinance, and ordinance 2014-172 which concerns requirements associated with R1-125 residential districts and cluster developments. A public hearing is scheduled for 2014-172 following our caucus meeting.

Thanks

Scott