

**BUILDING & BUILDING CODES COMMITTEE MINUTES
NOVEMBER 20, 2018**

The Building & Building Codes Committee meeting was held on November 20, 2018, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:12 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dan Kasaris, Larry Antoskiewicz; **Council:** Gary Petrusky, Dan Langshaw, Paul Marnecheck, Cheryl Hannan; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Community Development Director Thomas Jordan, Police Chief Ken Bilinovich, Fire Chief Robert Chegan, Safety Director Bruce Campbell, Finance Director Eric Dean; **Other:** Hope Piasecki.

Moved by Mr. Kasaris, seconded by Mr. Nickell to **approve the October 16, 2018 Building and Building Codes Committee minutes**. Roll Call: Yeas: 2. Nays: 0. (Antoskiewicz excused). **Motion carried.**

UNFINISHED BUSINESS

1. City Green Development

Mr. Jordan said that the work on the electrical should begin shortly once the Christmas display on the green is removed. The sign is on order and should be installed over the winter months.

2. Cemetery

Mr. Jordan said that he received an email from the contractor installing the brick piers and they are still hopeful of getting them installed this year. The sign is on order and will take about 6 weeks to fabricate.

3. Front lawn parking/paving of driveways and accessory driveways.

Mr. Nickell asked the committee to consider some proposed amendments to 452.03 of the Codified Ordinances, a copy of which is attached to these minutes. Mayor Stefanik said that every city around us has this ordinance in place. He said what we are trying to accomplish is to prevent residents from continuously parking their vehicles on lawns and front yards. He said that this practice is becoming more common on the main and secondary streets. He said that if we don't start policing it now, it will get increasingly worse. Regarding enforcement, he said that once a law like this is on the books, 95% of the people will know it is the wrong thing to do and will not do it. It will then be up to our Building Division to enforce this, beginning with a simple warning which most people will obey. We may have one or two that will take a hard line on this, but we want to do what we can to keep the property values up in North Royalton and keep it looking good. Back and forth discussion occurred over the proposed language with many participating. Mrs. Hannan asked if this would apply to the rural areas that are set back farther from the road. Mayor Stefanik said yes. Mr. Langshaw said that it is already on the books that the Safety Director can authorize overnight parking on the street for 24 hours. He asked if we could change the proposed 8 hours to 24 hours just to be consistent.

Kathy King, 11134 Edgerton Road, addressed the committee. She said that she lives in a rural area and has a 150 foot driveway with a concrete pad and asked that Council consider the more rural areas when addressing this issue and that it may be unnecessary to have paved surfaces for vehicles.

Mr. Kasaris summarized the newly proposed language and said that unless you are having an event or temporary construction, then the 24 hour time period of parking on the lawn or tree lawn would not apply. Mayor Stefanik said that this is correct. The parking of vehicles on lawns that don't meet the restrictions is what we are trying to prohibit.

Mr. Antoskiewicz said that this is similar to the issue we had a few months back with residents having items for sale continuously in their front yards. Once the residents were told that this was something that we are going to prohibit, they have complied with the law and he expects the same result with this issue. Mr. Antoskiewicz said that he doesn't think there is a big difference between the 8 or 24 hours. If you are

having a party, the police will know this and won't start the clock ticking the first time they drive by. Mr. Nickell said that the police don't know what is going on in someone's house. If it is left up to discretion, he doesn't always trust those administering the discretion. He said that he had personal experience where discretion was over zealous. He said that we live in a litigious society and a neighbor might complain that the parking has been going on for over 8 hours. He suggested making it 24 hours so that it covers a longer event. Mrs. Hannan said discretion is relevant and that the law should be written so that people understand what they are and are not allowed to do. Mr. Antoskiewicz asked if the majority is fine with changing it to 24 hours. Mr. Langshaw and Mr. Nickell said yes. Mr. Kasaris and Mrs. Hannan felt that the 24 hour parking should be allowed for any reason, not just for certain events. Mr. Antoskiewicz said then that the language Mr. Kasaris is proposing would be:

A property owner shall be permitted, without charge or restriction, to authorize vehicles to be parked on the tree lawn or front yard lawn, for a period not to exceed ~~8 hours~~ **24 hours**. ~~for residential gatherings and event purposes, and for temporary construction projects, including but not limited to driveway replacement, sewer and roof replacements during active construction provided that the parking does not impede or otherwise obstruct traffic visibility or other safety concerns.~~

Mrs. Hannan asked if there was anything in our code currently that would address this. Mr. Kelly said that they felt it was best in this situation to proceed in this manner. He said that there is no question that problems exist to which this legislation will be a remedy. He said that we can change the language to what was stated earlier and accomplish what we are trying to do. The penalty was discussed and was determined to be satisfactory as written. Mr. Kelly said that the changes will be made and presented to Council at their next meeting. After discussion it was the consensus of the committee that this would be the best way to proceed.

Regarding the issue of paving of driveways and accessory driveways, Mr. Kelly said that we already have an ordinance on the books which requires that the apron all the way up to and including any sidewalk area be made of hard surface, either asphalt or concrete so there may be no need to pursue anything beyond this. Mr. Antoskiewicz said that we also have language on the books that say if a gravel driveway becomes a safety hazard we can address this with the property owner.

Mayor Stefanik said someone in Mr. Petrusky's ward widened his existing concrete driveway by putting gravel up the right side of the house and then across the front of the house leading to the back yard. Mayor Stefanik said that there is nothing in our code to prevent this. Mr. Kelly said as long as it is not creating a nuisance with storm water and is washing into the gutter and storm sewer, he is permitted to do this. Mr. Petrusky said that he thought that this was the issue, that we didn't want people to be able to do this. This is very unsightly and thought we were addressing this. Mr. Kelly said that as long as it is not creating a nuisance in terms of storm water this is permitted. Mr. Petrusky said that he thought the original issue is that we don't want residents to be able to do this. Mayor Stefanik agreed with Mr. Petrusky. Mr. Nickell said that he does not have a problem with gravel driveways, but gravel aprons can create stormwater problems. Mr. Kelly said that we cannot legislate that the residents must have green grass yards; they can put a lot of things in their yard that you and I may not like but it's a personal preference. **Remove from agenda.**

NEW BUSINESS

None.

MISCELLANEOUS

Mr. Nickell asked for an update on the condemned house on Royalwood Road. Mr. Jordan said we are seeking county funding to tear down this house if the owner does not, as well as two additional homes in the city. Mr. Jordan provided an update on the status of these homes and said that he will continue to update the committee on these properties.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz **to adjourn the November 20, 2018 meeting.** Yeas: 3.
Nays: 0. **Motion carried. Meeting adjourned at 6:47 p.m.**

452.03 PROHIBITED STANDING OR PARKING PLACES.

(a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

(1) On a sidewalk, *tree lawn or front yard lawn*, except as provided in division (c) of this section;

(2) In front of a public or private driveway;

(3) Within an intersection;

(4) Within ten feet of a fire hydrant;

(5) On a crosswalk;

(6) Within 20 feet of a crosswalk at an intersection;

(7) Within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic-control device;

(8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic-control device;

(9) Within 50 feet of the nearest rail of a railroad crossing;

(10) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 feet of the entrance when it is properly posted with signs;

(11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(12) Alongside any vehicle stopped or parked at the edge or curb of a street;

(13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;

(14) At any place where signs prohibit stopping;

(15) Within one foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway, or thruway.

(ORC 4511.68)

(17) In a cul-de-sac;

(18) Upon or within the City's right of way not intended for vehicular traffic;

(19) On the side of the street where fire hydrants have been constructed; or

(20) Within 10 feet of a roadside residential or business mailbox between the hours of 9:00 a.m. and 5:00 p.m., Monday through Saturday.

(b) Parking of additional vehicles which are not accessory to the main use of the property and/or are prohibited by this section may, upon application of the landowner, be permitted only upon the approval of and granting of a permit by the Public Safety Director.

(c) A person shall be permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, or a bicycle, provided that the motor-driven cycle, motor scooter, or bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of R.C. § 4511.711, or any substantially equivalent municipal ordinance.

A property owner shall be permitted, without charge or restriction, to authorize vehicles to be parked on the tree lawn or front yard lawn, for a period not to exceed 8 hours for residential gatherings and event purposes, and for temporary construction projects, including but not limited to driveway replacement, sewer and roof replacements during active construction provided that the parking does not impede or otherwise obstruct traffic visibility or other safety concerns.

(d) Except as otherwise provided in this division, whoever violates division (a) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.