

1<sup>st</sup> reading 3-10-21  
P&Z Approval \_\_\_\_\_  
2<sup>nd</sup> reading suspended rules  
3<sup>rd</sup> reading \_\_\_\_\_  
Voted On 3-10-21  
Ayes: 7 Nays: 0  
PASSED X DEFEATED \_\_\_\_\_

## ORDINANCE NO. 2021-4

### AN ORDINANCE AMENDING SUBSECTION (a) OF SECTION 521.06 OF THE CODIFIED ORDINANCES OF ORANGE VILLAGE TO ADD THE RECREATIONAL TRAILS ON ORANGEWOOD DRIVE TO THE LIST OF PEDESTRIAN FACILITIES IN THE VILLAGE'S RIGHT OF WAY WHICH ARE NOT "SIDEWALKS" AND DECLARING AN EMERGENCY.

WHEREAS, Section 521.06 of the Codified Ordinances of Orange Village outlines a homeowner's duty to keep sidewalks in repair and clean; and

WHEREAS, Section 521.06(a) excepts certain recreational trails from the definition of "Sidewalk" for the purpose of excluding such recreational trails from the maintenance requirements imposed by the ordinance; and

WHEREAS, this Council desires to amend Section 521.06 of the Codified Ordinances to include the recreational trails on Orangewood Drive to the list of recreational trails exempted from the definition of "Sidewalk" for the purpose of imposing a maintenance obligation upon the owners of abutting lands.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That existing Section 521.06(a) is hereby amended which shall read and provide, in its entirety, as follows:

#### **"521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.**

(a) No owner or occupant having charge of abutting lands shall fail to keep the sidewalks, curbs or gutters in repair and free from snow, ice or any other nuisance. For the purposes of this section, "sidewalk" does not include the recreational trails which are located on Brainard, Emery, Harvard, Lander and Miles Roads **and Orangewood Drive.**

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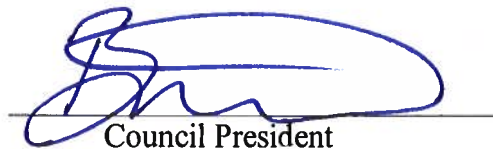
SECTION 3. That existing Section 521.06(a) is hereby repealed.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this

Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 5. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of Orange Village and, further, provides for the usual daily operation of a municipal department and allows for the immediately planning, bidding and construction of recreational trails in the Village providing the owners of property on Orangewood Drive to be assured that the Village will be maintaining the new trails; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

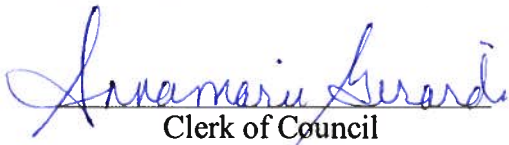
PASSED: March 10, 2021

  
Council President

Submitted to the Mayor for  
approval on this 10<sup>th</sup> day of March, 2021

Approved by the Mayor this  
10<sup>th</sup> day of MARCH, 2021

ATTEST:

  
Clerk of Council  
Mayor