

1<sup>st</sup> reading 9-4-24  
2<sup>nd</sup> reading 9-11-24  
3<sup>rd</sup> reading 10-9-24  
Voted On 10-9-24  
Ayes 7 Nays 0  
PASSED X DEFEATED

08.28.2024

## ORDINANCE NO. 2024-21

### AN ORDINANCE AMENDING SUBSECTION 521.06(A), DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN OF CHAPTER 521, HEALTH, SAFETY AND SANITATION, TO REQUIRE THE REPAIR OF THE VILLAGE'S RECREATIONAL TRAILS IN CERTAIN CIRCUMSTANCES, REPEALING CERTAIN ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, Orange Village has an interest in maintaining the value and aesthetics of land and buildings located within its limits; and

WHEREAS, the Village also has an interest in establishing and assessing responsibility to any party or parties that cause damage to the recreational trails in the Village; and

WHEREAS, this Council finds and determines that there is a need to amend the portion of the Codified Ordinances to ensure that the safety and aesthetics of the Village are maintained, to hold those responsible for damage accountable, and to enforce regulations for the reparations of damaged property or grounds within Orange Village.

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

SECTION 1. That existing subsection (a) of Section 521.06, Duty to Keep Sidewalks In Repair And Clean, of the Code of Ordinances of the Village of Orange, be and the same hereby is amended to read and provide, in its entirety, as follows:

#### **“521.06 DUTY TO KEEP SIDEWALKS AND TRAILS 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, **except that any individual who negligently, recklessly or intentionally damages a recreational trail shall be responsible for the cost of repairing the trail. In the event the contractor for a property owner causes damage to a recreational trail, the property owner shall also be responsible for the cost of repairing the trail.**

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SECTION 2. That existing subsection (a) of Section 521.06, Duty To Keep Sidewalks In Repair And Clean, of the Code of Ordinances of Orange Village, and any Ordinance or any party of any Ordinance in conflict with this Ordinance is repealed to the extent of the conflict.

SECTION 3. That the actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. 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, to help maintain the safety and aesthetics of the grounds within the Village; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by Council and its approval by the Mayor, or as otherwise provided by law.

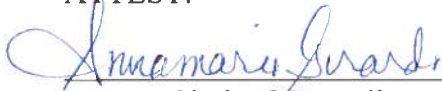
PASSED: OCTOBER 9, 2024

  
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Council President

Submitted to the Mayor for approval on this 9<sup>th</sup> day of OCTOBER, 2024

Approved by the Mayor this 9<sup>th</sup> day of OCTOBER, 2024

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor