

ORDINANCE NO. 117-13

BY: **BRIAN DAY**
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND SUBSECTION (b) OF SECTION 1153.03 “ACCESSORY USES AND BUILDINGS” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That subsection (b) of Section 1153.03 “Accessory Uses and Buildings” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“1153.03 ACCESSORY USES AND BUILDINGS.

The following accessory uses and buildings are permitted in a Single-Family House District.

...

(b) Parking of Commercial Vehicles.

(1) Delivery of merchandise. The parking of commercial vehicles when delivering merchandise shall be limited to the minimum time period required in the usual course of business for making of such delivery.

(2) Overnight parking. Only one commercial vehicle not exceeding a gross weight of 8,500 pounds or an overall height of 82 inches may be parked overnight per dwelling unit. Such vehicles must be parked either in an enclosed garage or on a hard-surfaced driveway or turnabout to the rear of the front setback line of the residence. In addition to the above restrictions, there shall be no overnight parking of the following commercial vehicle types:

1. Tow trucks;
2. Dump trucks;
3. Flat-bed trucks;
4. Tractor or semi-tractor trailer trucks;
5. Stake bed trucks;
6. Box trucks;
7. Any vehicle, including buses, with a dual set of rear wheels; or
8. Any vehicle transporting hazardous or flammable materials beyond what would be normally required to propel that type of vehicle.”

...

is hereby amended to read as follows:

“1153.03 ACCESSORY USES AND BUILDINGS.

The following accessory uses and buildings are permitted in a Single-Family House District.

...

(b) Parking of Commercial Vehicles.

(1) ~~Delivery of merchandise.~~ The parking of commercial vehicles when delivering merchandise shall be limited to the minimum time period required in the usual course of business for making of such delivery.

(2) ~~Overnight parking.~~ Only one commercial vehicle not exceeding a gross weight of 8,500 pounds or an overall height of 82 inches may be parked ~~overnight~~ per dwelling unit. Such vehicles must be parked either in an enclosed garage or on a hard-surfaced driveway or turnabout to the rear of the front setback line of the residence. In addition to the above restrictions, there shall be no ~~overnight~~ parking of the following commercial vehicle types:

- A. Tow trucks;
- B. Dump trucks;
- C. Flat-bed trucks;
- D. Tractor or semi-tractor trailer trucks;
- E. Stake bed trucks;
- F. Box trucks;
- G. Any vehicle, including buses, with a dual set of rear wheels; or
- H. Any vehicle transporting hazardous or flammable materials beyond what would be normally required to propel that type of vehicle."

...

Section 2. That only subsection (b) of Section 1153.03 "Accessory Uses and Buildings" of the Codified Ordinances of the City of Parma, as it existed heretofore, is 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 the 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 necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to make this amendment to Section 1153.03 of the Codified Ordinances of the City of Parma in the near future, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO