

3/6/17

L-48-17 Ist

ORDINANCE NO. 48-17

BY: **DEBORAH LIME**
(By Request – City Engineer)

AN ORDINANCE TO AMEND SECTION 660.17 “ELECTRIC FENCES”, SECTION 660.175 “BARBED WIRE FENCES” OF CHAPTER 660 “SAFETY, SANITATION AND HEALTH”, AND SECTION 1529.23 “FENCES, HEDGES AND TRELLISES” OF CHAPTER 15 “BUILDING CODE” 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 Section 660.17 “Electric Fences” and Section 660.175 “Barbed Wire Fences” of Chapter 660 “Safety, Sanitation and Health” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“660.17 ELECTRIC FENCES.

- (a) No person shall construct, erect, maintain or use, for any purpose, any fence charged with electrical current within the City.”

...

“660.175 BARBED WIRE FENCES.

- (a) No person shall erect or maintain a barbed wire fence which abuts or is adjacent to any public street or sidewalk. This subsection does not prevent the placement and use of not more than two strands of barbed wire on top of a fence other than a barbed wire fence, provided such strands are not less than forty-eight inches from the ground.

Barbed wire partition fences may be erected and maintained as provided in Ohio R.C. 971.03.”

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are hereby amended to read as follows:

“660.17 ELECTRIC FENCES.

- (a) No person shall construct, erect, maintain or use, for any purpose, any fence charged with electrical current ~~within the City~~ **WITHOUT FIRST COMPLYING WITH ALL PROVISIONS OF SECTION 1529.231 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA.**”

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“660.175 BARBED WIRE FENCES.

- (a) No person shall erect or maintain a barbed wire fence which abuts or is adjacent to any public street or sidewalk. This subsection does not prevent the placement and use of not more than ~~two~~ **THREE** strands of barbed wire on top of a fence other than a barbed wire fence, provided such strands are not less than forty-eight inches from the ground.

Barbed wire partition fences may be erected and maintained as provided in Ohio R.C. 971.03”

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Pg. 2 of L-48-17 Ord. to amend Section 660.17 "Electric Fences" and Section 660.175 "Barbed Wire Fences" of Chapter 660 "Safety, Sanitation and Health" and Section 1529.23 "Fences, Hedges and Trellises" of Chapter 15 "Building Code" of the Codified Ordinances of the City of Parma, and declaring an emergency

Section 2. That section 1529.23 "Fences, Hedges and Trellises" of Chapter 15 "Building Code" of the Codified Ordinances of the City of Parma, which presently reads as follows:

"1529.23 Fences, Hedges and Trellises.

(a)(1)...Permitted fences in all residence districts shall include the following types: picket, ranch (including split-rail and western-rail), basketweave, stockade, board-on-board, chain link, which may include metal, plastic, vinyl or fiberglass inserts. Masonry walls of brick, random stone or ashlar, coursed stone or ashlar, or decorative block, are permitted, subject to the approval of the City Planning Commission. Prohibited fences include wire mesh fences which have openings between the wires of larger than three inches, barbed wire and individual strand-type wire fences."

...

is hereby amended to read as follows:

"1529.23 Fences, Hedges and Trellises.

(a)(1)...Permitted fences in all residence districts shall include the following types: picket, ranch (including split-rail and western-rail), basketweave, stockade, board-on-board, chain link, which may include metal, plastic, vinyl or fiberglass inserts, **AND ELECTRIFIED FENCES TO BE IN COMPLIANCE WITH SECTION 1529.231**. Masonry walls of brick, random stone or ashlar, coursed stone or ashlar, or decorative block, are permitted, subject to the approval of the City Planning Commission. Prohibited fences include wire mesh fences which have openings between the wires of larger than three inches, ~~barbed wire~~ and individual strand-type wire fences, **AND ELECTRIFIED FENCES, UNLESS IN COMPLIANCE WITH SECTION 1529.231**."

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Section 3. That only Section 660.17 "Electric Fences"; Section 660.175 "Barbed Wire Fences" of Chapter 660 "Safety, Sanitation and Health" and Section 1529.23 "Fences, Hedges and Trellises" of Chapter 15 "Building Code" of the Codified Ordinances of the City of Parma, as they existed heretofore, are hereby repealed.

Section 4. 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 5. 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 amend these sections to be in conjunction with proposed Ordinance No. 49-17, 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