

ORDINANCE NO. 171-21

BY: **DEBORAH LIME**
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND SECTION 1529.23 “FENCES, HEDGES AND TRELLISES” IN CHAPTER 1529 “GENERAL BUILDING REGULATIONS” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, RELATING TO STAMPED BOUNDARY SURVEYS, AND DECLARING AN EMERGENCY

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

Section 1. That Section 1529.23 “Fences, Hedges and Trellises” in Chapter 1529 “General Business Regulations” of the Codified Ordinances of the City of Parma, which presently reads:

“1529.23 FENCES, HEDGES AND TRELLISES.

...

(2) Fences shall be permitted only in rear yards, as defined in Section 1505.25(b). In no case shall fences extend any further towards the street than five feet past the side door or the steps to the side door of the residential structure. If no side door exists, then the fence shall be no further towards the street than the rear of the residential structure.

(3) No fence shall be permitted to be installed directly along another fence on the same property line of an abutting property owner.

(b) Before any hedge, trellis, retaining wall or other device used to mark or establish boundary lines, or within the property line, is erected, the owner of the land shall first secure a permit for the same from the Building Commissioner. The fee therefor is set forth in Chapter 185 (the General Fee Schedule). No permit for any such device, other than those which replace existing permitted devices, shall be issued until one of the following occurs:

(1) Submission to the Building Commissioner of proof that notice has been given to all affected property owners, by proof of signed waiver of the permit application; or

(2) Submission to the Building Commissioner of verification by a registered professional surveyor establishing the applicant's property lines. Such survey shall be current (within the last three years). ...

is hereby amended to read as follows:

“1529.23 FENCES, HEDGES AND TRELLISES.

...

(2) Fences shall be permitted only in rear yards, as defined in Section 1505.25(b). In no case shall fences extend any further towards the street than five feet past the side door or the steps to the side door of the residential structure. If no side door exists, then the fence shall be no further towards the street than the rear of the residential structure.

(3) No fence shall be permitted to be installed directly along another fence on the same property line of an abutting property owner.

(b) Before any hedge, trellis, retaining wall or other device used to mark or establish boundary lines, or within the property line, is erected, the owner of the land shall first secure a permit for the same from the Building Commissioner. The fee therefor is set forth in Chapter 185 (the General Fee Schedule). No permit for any such device, other than those which replace existing permitted devices, shall be issued until one of the following occurs:

(1) Submission to the Building Commissioner of proof that notice has been given to all affected property owners, by proof of signed waiver of the permit application; or

(2) Submission to the Building Commissioner of verification by a registered professional surveyor establishing the applicant's property lines. ~~Such survey shall be current. (within the last three years).~~ **THE DATE OF THE STAMPED BOUNDARY SURVEY SHALL BE WITHIN THE LAST TEN YEARS.**

...”

Section 3. That only that portion of Section 1529.23 “Fences, Hedges and Trellises” of the Codified Ordinances of the City of Parma, as it existed heretofore, is 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 this 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 the Parma Codified Ordinances to reflect this change in the date of stamped boundary surveys, 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