

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 20-___

TO ENACT SECTION 92.12 OF THE CHEVIOT CODE OF ORDINANCES; AND TO AMEND SECTION 92.99 OF THE CHEVIOT CODE OF ORDINANCES.

WHEREAS, the Council of the City of Cheviot desires to promote safety and security in its business districts, while also allowing the business owners to apply to the City to utilize the right of way on the sidewalk to create an outdoor or sidewalk patio for their businesses; and

WHEREAS, this Council believes that this goal will be attained by establishing uniform standards and regulation of outdoor or sidewalk patios on the sidewalk right of way within the City by the Safety-Service Director; and

WHEREAS, Section 92.99 of the Cheviot Code of Ordinances, regarding penalties for violation of certain sections of Chapter 92: Streets and Sidewalks, currently reads as follows:

92.99 PENALTY

Whoever violates any provision of §§ 92.01, 92.03, 92.04, 92.05, 92.06, or 92.09 shall be fined not more than \$25 for the first offense and not more than \$200 for each succeeding offense.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, THAT:

Section 1. There is hereby enacted Section 92.12 of the Cheviot Code of Ordinances, which shall read as follows:

92.12 SAFETY-SERVICE DIRECTOR'S REGULATIONS OF OUTDOOR OR SIDEWALK PATIOS.

The Safety-Service Director of the City shall have the power to establish rules and regulations, not specifically covered in the Cheviot Code of Ordinances or the Ohio Revised Code, for the regulation of the use of the right of way on the sidewalk within the City for outdoor or sidewalk patios.

Section 2. Section 92.99 of the Cheviot Code of Ordinances is hereby amended as follows:

92.99 PENALTY

Whoever violates any provision of §§ 92.01, 92.03, 92.04, 92.05, 92.06, 92.09, or 92.12 shall be fined not more than \$25 for the first offense and not more than \$200 for each succeeding offense.

Section 3. Existing Section 92.99 of the Cheviot Code of Ordinances is hereby repealed.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period provided by law.

Mark G. Waters
President of Council

Date passed

Samuel D. Keller
Mayor

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann
Clerk of Council

Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Western Hills Press*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) _____, 2020, and
- 2) _____, 2020.

Jenny M. Eilermann
Clerk of Council