

**ORDINANCE NO. 108-16**

**AN ORDINANCE TO AMEND SECTION 1292.14(d) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REVISING IMPROVEMENT AND MAINTENANCE STANDARDS FOR CURBS AND WHEEL/BUMPER GUARDS**

**WHEREAS**, application of the current §1292.14(d) has resulted in some confusion over whether or not bumper guards, curbs and markings are all required to be installed in order to define parking spaces, access drives or the limits of paved areas thereby preventing vehicles from projecting into required setbacks, walkways or alleys; and

**WHEREAS**, the City's Engineer now recommends an amendment to Section 1292.14(d) to add language dealing wheel/bumper guards; and

**WHEREAS**, Planning Commission held a public hearing on October 19, 2016 and after considering the comments of interested parties and the administration voted to recommend approval of the amendment by a vote of Four (4) to Zero (0); and

**WHEREAS**, Council, in considering the recommendation of the Planning Commission and the City Engineer, finds that the amendment to Section 1292.14(d) of the Code, as it pertains to bumper guards, is reasonable and adoption is in the best interests of the safety, health and welfare of the citizens of Avon.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:**

Section 1 - That Section 1292.14(d) which currently reads as follows:

**Section 1292.14 IMPROVEMENT AND MAINTENANCE STANDARDS**

All driveways, parking areas, curbs, and bumper guards shall be constructed in accordance with standards established by the City Engineer and the following:

- (d) Curbs and Wheel/Bumper Guards. Appropriate bumper guards, curbs and markings shall be provided in order to define parking spaces, access drives or limits of paved areas and to prevent vehicles from projecting into required yards, walkways or alleys.

**Shall be amended to read as follows: (New language in bold print.)**

**Section 1292.14 IMPROVEMENT AND MAINTENANCE STANDARDS**

All driveways, parking areas, curbs, and bumper guards shall be constructed in accordance with standards established by the City Engineer and the following:

- (d) Curbs and Wheel/Bumper Guards. Appropriate **wheel**/bumper guards, curbs and markings shall be provided in order to define parking spaces, access drives or limits of paved areas and to prevent vehicles from projecting into required yards, walkways or alleys.

**Wheel/bumper guards shall only be utilized in specific limited locations as recommended by the City Engineer and approved by Planning Commission.**

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasiar, Law Director  
City of Avon, Ohio

ATTEST:

\_\_\_\_\_  
Barbara J. Brooks  
Clerk of Council

POSTED: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared by:  
John A. Gasiar, Esq.  
Law Director