

# City of Willoughby Hills

## ORDINANCE NO. 2008-49

Council  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

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### **AN ORDINANCE AMENDING PART FIVE – GENERAL OFFENSES CODE, CHAPTER 509 DISORDERLY CONDUCT AND PEACE DISTURBANCE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS BY THE ADDITION OF SECTION 509.11 – DISTURBING THE PEACE; CONSTRUCTION AND LAWN CUTTING HOURS AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the City Council of Willoughby Hills has deemed it necessary to amend Chapter 509 – Disorderly Conduct and Peace Disturbance of the Codified Ordinances of the City of Willoughby Hills by the addition of *Section 509.11 – Disturbing the Peace; Construction and Lawn Cutting Hours*.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE COUNTY, STATE OF OHIO THAT:**

**SECTION 1.** Part Five - General Offenses Code, Chapter 509 – Disorderly Conduct and Peace Disturbance of the Codified Ordinances of the City of Willoughby Hills be and it is hereby amended by the addition of **Section 509.11 – *Disturbing the Peace; Construction and Lawn Cutting Hours*** which shall read and provide in its entirety as follows:

**“509.11 DISTURBING THE PEACE; CONSTRUCTION AND LAWN CUTTING HOURS.**

(a) No person shall disturb the good order and quiet of the Municipality by: the erection (including excavating), demolition, alteration or repair of any building or structure within the City; engage in construction or activities, such as hammering, pounding, grinding or grading; operate any tools or equipment, i.e. the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower, or other similar device used outdoors during the course of routine property maintenance, repair, and lawn care so as to create objectionable or unreasonable noise or a disturbance to neighbors or other residents of the City between the hours of 9:00 p.m. and 7:00 a.m. daily, or before 8:30 a.m. on Sundays or official holidays. Snow blowers and other snow removal equipment are specifically excluded during periods of snowfall.

(b) The Mayor may waive the restrictions in Section 509.11 (a) for any reason.

(c) Whoever violates any of the provisions of this Section is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00).

**SECTION 2.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 3.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual operation of a municipal department; to wit: immediately adopt and incorporate laws and regulations necessary in keeping the peace and maintaining good order of the Municipality, thereby ensuring the public peace, safety and welfare of the residents; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: \_\_\_\_\_, 2008

Submitted to the Mayor for his approval  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2008

ATTEST:

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Victoria Ann Savage, CMC  
Clerk of Council

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Kevin D. Malecek  
President of Council

Approved by the Mayor

\_\_\_\_\_, 2008

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Robert M. Weger  
Mayor