



# City of Lakewood City Council

Council At Large  
**Sarah Kepple, President**  
Thomas R. Bullock III  
Angelina Hamilton Steiner

Ward Council  
Kyle Baker, Ward 1, Vice President  
Bryan Evans, Ward 2  
Cindy Strebig, Ward 3  
Matthew Bixenstine, Ward 4

Noticed 07/02/26

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## **PUBLIC NOTICE – HOUSING, PLANNING, & DEVELOPMENT COMMITTEE**

Housing, Planning, & Development Committee will meet Monday July 6, 2026 at 6:30 p.m. in the Auditorium at Lakewood City Hall, 12650 Detroit Ave. The meeting is open to the public.

The meeting will be livestreamed on the [City's website](#).

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### **The agenda is as follows:**

Approval of the minutes of the June 29, 2026 meeting of the Housing, Planning, & Development Committee.

Communication from Assistant Planning Director Bass regarding Proposed Code Amendments (Chapters 301, 373, and Section 903.10) – Bicycle Infrastructure. (*referred to HPD 11/17/25*)

**ORDINANCE 40-2025** - AN ORDINANCE to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, amending or repealing various sections of the Lakewood Codified Ordinances to update definitions and regulations related to bicycle infrastructure within the City of Lakewood. (*1<sup>st</sup> read & referred to HPD 11/17/25; 2<sup>nd</sup> reading 12/1/25*)

Bryan Evans, Chair  
Kyle Baker, Tom Bullock; Members

### **HOUSING, PLANNING, & DEVELOPMENT COMMITTEE**

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#### **PUBLIC COMMENT PROTOCOL**

The public is invited to comment on agenda items by submitting a written comment in advance of the meeting using the [eComment platform](#). New users must create an eComment account. Committee Chairs may also accommodate in person public comment.

#### **ADA PROTOCOL**

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 or [michelle.nochta@lakewoodoh.gov](mailto:michelle.nochta@lakewoodoh.gov).



City of Lakewood  
Department of Planning  
and Development

Angela Byington, Director  
David Baas, AICP, Asst. Director

(216) 529-6630  
planning@lakewoodoh.gov

November 11, 2025

City Council, City of Lakewood  
12650 Detroit Avenue  
Lakewood, OH 44107

**RE: Proposed Code Amendments (Chapters 301, 373, and Section 903.10) – Bicycle Infrastructure**

Dear President Kepple,

In coordination with the Law Department, the enclosed proposed code amendments are provided for consideration by City Council to better align our bicycle infrastructure definitions with Ohio Revised Code (ORC) and to update regulations related to the use of mobility devices (e-bikes, e-scooters) on – and maintenance responsibilities for – municipally designated shared use paths.

The amendments include:

- Chapter 301 (Definitions):
  - New definitions added for “bikeway” and “shared use path,” pulled from ORC ORC §4511.01.
  - Updated definition for “motorized bicycle,” pulled from ORC §4511.01.
- Chapter 373 (Bicycles and Motorcycles):
  - 373.08: Removed speed limit (e-scooter) for consistency with adjacent municipalities.
  - 373.10: Increased age for riding unsupervised in roadway (8 to 10) to be consistent with state/national Safe Routes to School (SRTS) best practices.
  - 373.101: New section “Riding on bikeways and shared use paths” to apply regulations to new infrastructure definitions and differentiate between minors (17/under) and adults (18/over).
  - 373.14: Reinforce prohibition of motorized bicycles on bicycle/pedestrian infrastructure.
- Section 903.10 (Duty to Repair/Maintain Sidewalks):
  - Differentiate between sidewalks and municipally designated shared use paths/bikeways.
  - Designate City as responsible for repair/maintenance of municipally designated shared use paths.

It is requested that these proposed amendments be referred to the appropriate committee for discussion prior to adoption by the full Council.

Sincerely,

David Baas, AICP  
Assistant Director

ORDINANCE NO. 40-2025

BY:

AN ORDINANCE to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, amending or repealing various sections of the Lakewood Codified Ordinances to update definitions and regulations related to bicycle infrastructure within the City of Lakewood.

WHEREAS, the City continues to advance and implement the bicycle and pedestrian infrastructure recommendations contained within the Active Transportation (AT) Plan and Safe Streets for All (SS4A) Action Plan; and

WHEREAS, to adequately regulate the safe use of this infrastructure updates to the codified ordinances are required; and

WHEREAS, pursuant to the Constitution of the state of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that moving forward with the development of this property quickly is in the best interest of the public; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 301.04 Bicycle; Motorized Bicycle, of the Lakewood Codified Ordinances, currently reading as follows:

301.04 BICYCLE; MOTORIZED BICYCLE.

(a) "Bicycle" means every device, other than a device that is designed solely for use as a toy vehicle by a child, that is propelled solely by human power, upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter.

(b) "Motorized bicycle" or "moped" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled and is equipped with a helper motor of not more than fifty cubic centimeters piston displacement which produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.

(c) "Toy vehicle" means any device that has wheels and is designed for play, except that "toy vehicle" does not include bicycles or motorized bicycles. "Toy vehicle" includes devices having all wheels that are less than fourteen inches in diameter, except as those devices may be otherwise provided for in the Codified Ordinances.

is hereby repealed and new Section 301.04 Bicycle; Motorized Bicycle, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

301.04 BICYCLE; MOTORIZED BICYCLE.

(a) "Bicycle" means every device, other than a device that is designed solely for use as a toy vehicle by a child, that is propelled solely by human power, upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter.

(b) "Motorized bicycle" or "moped" means any vehicle that either has two tandem wheels or one wheel in the front and two wheels in the rear, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface. "Motorized bicycle" or "moped" does not include an electric bicycle.

(c) "Toy vehicle" means any device that has wheels and is designed for play, except that "toy vehicle" does not include bicycles or motorized bicycles. "Toy vehicle" includes devices having all wheels that are less than fourteen inches in diameter, except as those devices may be otherwise provided for in the Codified Ordinances.

Section 2. Section 301.041 Bikeway, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

#### 301.041 BIKEWAY

(a) "Bikeway" means any road, street, path, or way that in some manner is specifically designated for bicycle travel, regardless of whether the facility is designated for the exclusive use of bicycles or if it is shared with other modes of transportation.

Section 3. Section 301.362 Shared Use Path, of the Lakewood Codified Ordinances, is hereby enacted as follows:

#### 301.362 SHARED USE PATH.

(a) "Shared use path" means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent alignment. A shared use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users. A shared use path does not include any trail that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use.

Section 4. Section 373.08 Reckless Operation, Control, Course, and Speed, of the Lakewood Codified Ordinances, currently reading as follows:

#### 373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

(a) No person shall operate a bicycle or mobility device:

(1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(2) Without exercising reasonable and ordinary control over such bicycle or mobility device;

(3) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;

(4) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.02(d);

(5) At a speed greater than is reasonable and prudent under the conditions then existing.

(b) No person operating an e-scooter shall exceed a speed at greater than twelve miles per hour.

(c) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each

subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

is hereby repealed and new Section 373.08 Reckless Operation, Control, Course, and Speed, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

(a) No person shall operate a bicycle or mobility device:

(1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(2) Without exercising reasonable and ordinary control over such bicycle or mobility device:

(3) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;

(4) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.02(d);

(5) At a speed greater than is reasonable and prudent under the conditions then existing.

(b) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Section 5. Section 373.10 Riding on Sidewalk, of the Lakewood Codified Ordinances, currently reading as follows:

373.10 RIDING ON SIDEWALK.

(a) Except as provided in subsection (b) below, it shall be legal to operate a bicycle (per Section 301.04) upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle operator using the sidewalk shall walk the bicycle. At no time shall a bicyclist under the age of eight years operate a bicycle on Berea Road; Detroit Avenue; Madison Avenue; Warren Road between Franklin Boulevard and Detroit Avenue; or West 117 Street, unless while under the supervision of an adult.

(b) No person shall ride a bicycle upon a sidewalk, upon or along which signs have been erected by authority of the Director of Public Safety prohibiting such bicycle riding; or if the bicycle is wider than the customary widths of two-wheeled bicycles. No person shall operate a mobility device on sidewalks, except when necessary to go on or off adjacent properties or to park.

(c) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle person or persons being overtaken and passed.

(d) A person operating a bicycle upon a sidewalk, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot, if necessary for safety.

(e) A person shall not operate a bicycle from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(f) No person shall operate a bicycle on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway. This paragraph does not require reduced speeds for bicycles when other vehicles are not present.

is hereby repealed and new Section 373.08 Reckless Operation, Control, Course, and Speed, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

### 373.10 RIDING ON SIDEWALK.

(a) Except as provided in subsection (b) below, it shall be legal to operate a bicycle (per Section 301.04) upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle operator using the sidewalk shall walk the bicycle. At no time shall a bicyclist under the age of ten operate a bicycle on any roadway (curb-to-curb), including bikeways, unless while under the supervision of an adult.

(b) No person shall ride a bicycle upon a sidewalk, upon or along which signs have been erected by authority of the Director of Public Safety prohibiting such bicycle riding; or if the bicycle is wider than the customary widths of two-wheeled bicycles. No person shall operate a motorized bicycle or mobility device on sidewalks, except when necessary to go on or off adjacent properties or to park.

(c) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle person or persons being overtaken and passed.

(d) A person operating a bicycle upon a sidewalk, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot, if necessary for safety.

(e) A person shall not operate a bicycle from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(f) No person shall operate a bicycle on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway. This paragraph does not require reduced speeds for bicycles when other vehicles are not present.

## Section 6. Section 373.101 Riding on Bikeways and Shared Use Paths, of the Lakewood Codified Ordinances, is hereby enacted as follows:

### 373.101 RIDING ON BIKEWAYS AND SHARED USE PATHS.

(a) It shall be legal to operate a bicycle (per Section 301.04) upon a bikeway or shared use path with due regard for the safety and rights of pedestrians and other users.

(b) No person shall operate a motorized bicycle on a bikeway or shared use path, except when necessary to go on or off adjacent properties or to park.

(c) No adult (age 18 and over) shall operate a mobility device on a bikeway or shared use path, except when necessary to go on or off adjacent properties or to park.

(d) Any person operating a bicycle upon and along a bikeway or shared use path, shall ride on or as near to the right side of the bikeway or path as practicable and shall give audible signal before overtaking and passing any pedestrians or other users. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle person or persons being overtaken and passed.

(e) Any person operating a bicycle upon and along a bikeway or shared use path, shall ride with due regard for the safety and rights of others when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway.

## Section 7. Section 373.14 Motorized Bicycle Operation, Equipment, and License, of the Lakewood Codified Ordinances, currently reading as follows:

### 373.14 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE.

(a) No person shall operate a motorized bicycle, as defined in Section 301.04, upon a highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license, as defined in Ohio R.C. 4507.01, issued after the person has passed the test provided by the Ohio Director of Public Safety pursuant to Ohio R.C. 4511.521, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506 or a driver's license issued under Ohio R.C. Chapter 4507 or a valid motorized bicycle license issued after the person has passed such test, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, he or she is not required to comply with the testing requirements provided for in this section.

(2) The motorized bicycle is equipped in accordance with the rules adopted and promulgated by the Ohio Director of Public Safety pursuant to Ohio R.C. 4511.521(B) and is in proper working order.

(3) The person, if he or she is under eighteen years of age, is wearing a protective helmet on his or her head with the chin strap properly fastened and the motorized bicycle is equipped with a rear-view mirror.

(4) The person operates the motorized bicycle in obedience with all traffic rules applicable to vehicles.

(b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(c) No person shall operate a motorized bicycle upon any public sidewalk, lane or walkway intended for pedestrian travel.

(d) The protective helmet and rear-view mirror required by subsection (a)(3) hereof shall, on and after the effective date of this legislation, conform with rules adopted by the Ohio Director of Public Safety under Ohio R.C. 4511.521(B).

(e) No person shall operate or be a passenger on a snowmobile, motorcycle or motorized bicycle without using safety glasses or other protective eye device. No person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle or motorized bicycle on a highway or be a passenger on a motorcycle or motorized bicycle, unless wearing a protective helmet on his head, and no other person shall be a passenger on a motorcycle or motorized bicycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with regulations prescribed and promulgated by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.

is hereby repealed and new Section 373.08 Reckless Operation, Control, Course, and Speed, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

#### 373.14 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE.

(a) No person shall operate a motorized bicycle, as defined in Section 301.04, upon a highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license, as defined in Ohio R.C. 4507.01, issued after the person has passed the test provided by the Ohio Director of Public Safety pursuant to Ohio R.C. 4511.521, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506 or a driver's license issued under Ohio R.C. Chapter 4507 or a valid motorized bicycle license issued after the person has passed such test, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, he or she is not required to comply with the testing requirements provided for in this section.

(2) The motorized bicycle is equipped in accordance with the rules adopted and promulgated by the Ohio Director of Public Safety pursuant to Ohio R.C. 4511.521(B) and is in proper working order.

(3) The person, if he or she is under eighteen years of age, is wearing a protective helmet on his or her head with the chin strap properly fastened and the motorized bicycle is equipped with a rear-view mirror.

(4) The person operates the motorized bicycle in obedience with all traffic rules applicable to vehicles.

(b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(c) No person shall operate a motorized bicycle upon any public bikeway or shared use path as well as sidewalk, lane or walkway intended for pedestrian travel.

(d) The protective helmet and rear-view mirror required by subsection (a)(3) hereof shall, on and after the effective date of this legislation, conform with rules adopted by the Ohio Director of Public Safety under Ohio R.C. 4511.521(B).

(e) No person shall operate or be a passenger on a snowmobile, motorcycle or motorized bicycle without using safety glasses or other protective eye device. No person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle or motorized bicycle on a highway or be a passenger on a motorcycle or motorized bicycle, unless wearing a protective helmet on his head, and no other person shall be a passenger on a motorcycle or motorized bicycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with regulations prescribed and promulgated by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.

**Section 8. Section 903.10 Duty to Repair and Maintain Sidewalks, Tree Lawns and Driveway Aprons, of the Lakewood Codified Ordinances, currently reading as follows:**

**903.10 DUTY TO REPAIR AND MAINTAIN SIDEWALKS, TREE LAWNS AND DRIVEWAY APRONS.**

(a) For the purpose of this section, "sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians, including the area commonly referred to as the "tree lawn."

(b) As used in this section, "driveway apron" means that area of the driveway from the curb to the sidewalk.

(c) The property owner whose property abuts any sidewalk shall be primarily responsible for the repair and maintenance of such sidewalk, driveway apron and tree lawn area.

(1) Any hole or defect that is a tripping hazard or that is capable of causing injury, inconvenience, annoyance or damage to sidewalk users shall be repaired by the abutting property owner within a reasonable period of time from the time at which the property owner should have known of the necessity of such repair through the exercise of due diligence, or within such time as may be determined as reasonable by the Director of Public Works at the time the repair work is determined to be necessary.

(2) The failure of a property owner to reasonably repair such defect in accordance with the applicable time frame shall be considered a negligent act as a matter of law, and the property owner shall be liable for any injury resulting from such defect.

(d) The Director of Public Works, upon determining that the condition of any sidewalk, driveway apron or tree lawn constitutes a public hazard, may order the abutting property owner to repair any sidewalk, driveway apron, or tree lawn which the City finds to be a nuisance or in an unsafe condition.

(1) The Director of Public Works shall serve a written notice of his or her determination in the manner provided by law for service in a civil action, setting forth sufficient information indicating which sidewalks, driveway aprons, or tree lawns are to be repaired, the estimated cost of those repairs and a time frame in which such work is to be completed, which shall be not less than 30 days from the date of the issuance of the order and citation, unless a longer period is determined to be appropriate by the Director of Public Works.

(2) If a property owner fails to repair a sidewalk or tree lawn as required by such order, the Director of Public Works may perform the work determined necessary and assess the cost of such work to the abutting land owner.

**is hereby repealed and new Section 903.10 Duty to Repair and Maintain Sidewalks, Tree Lawns and Driveway Aprons, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:**

**903.10 DUTY TO REPAIR AND MAINTAIN SIDEWALKS, TREE LAWNS AND DRIVEWAY APRONS.**

(a) For the purpose of this section, "sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians, including the area commonly referred to as the "tree lawn."

(1) Additionally, for the purposes of this section, "sidewalk" expressly shall not mean or include a municipally designated shared use path or bikeway located within the City.

(b) As used in this section, "driveway apron" means that area of the driveway from the curb to the sidewalk.

(c) The property owner whose property abuts any sidewalk shall be primarily responsible for the repair and maintenance of such sidewalk, driveway apron and tree lawn area.

(1) Any hole or defect that is a tripping hazard or that is capable of causing injury, inconvenience, annoyance or damage to sidewalk users shall be repaired by the abutting property owner within a reasonable period of time from the time at which the property owner should have known of the necessity of such repair through the exercise of due diligence, or within such time as may be determined as reasonable by the Director of Public Works at the time the repair work is determined to be necessary.

(2) The failure of a property owner to reasonably repair such defect in accordance with the applicable time frame shall be considered a negligent act as a matter of law, and the property owner shall be liable for any injury resulting from such defect.

(3) The City of Lakewood and not the owner of the abutting property shall be responsible for the repair and maintenance of any municipally designated shared use path.

(d) The Director of Public Works, upon determining that the condition of any sidewalk, driveway apron or tree lawn constitutes a public hazard, may order the abutting property owner to repair any sidewalk, driveway apron, or tree lawn which the City finds to be a nuisance or in an unsafe condition.

(1) The Director of Public Works shall serve a written notice of his or her determination in the manner provided by law for service in a civil action, setting forth sufficient information indicating which sidewalks, driveway aprons, or tree lawns are to be repaired, the estimated cost of those repairs and a time frame in which such work is to be completed, which shall be not less than 30 days from the date of the issuance of the order and citation, unless a longer period is determined to be appropriate by the Director of Public Works.

(2) If a property owner fails to repair a sidewalk or tree lawn as required by such order, the Director of Public Works may perform the work determined necessary and assess the cost of such work to the abutting land owner.

Section 9. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 10. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives this affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately following its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Sarah Kepple, President of Council

\_\_\_\_\_  
Maureen M. Bach, Clerk of Council

Approved \_\_\_\_\_

\_\_\_\_\_  
Meghan F. George, Mayor