

FIRST READING: 1.9.23
SECOND READING: 1.23.23
THIRD READING: 2.13.23

ORDINANCE NO. 4-23

BY: JEANNE GALLAGHER

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ROCKY RIVER CODIFIED ORDINANCES CHAPTER 1351 ENTITLED "ARTIFICIAL LIGHTING DEVICES", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: the Administration of the City of Rocky River, has deemed it necessary to amend specific sections of Chapter 1351 of our Codified Ordinances regarding artificial lighting devices; and

WHEREAS: it is the desire of the Administration and Council of the City of Rocky River that Section 1351.01 entitled "Light shields required", Section 1351.02 entitled "Use in residence or apartment districts", and Section 1351.03 entitled "Height restrictions; installation and shielding" of the Codified Ordinances of the City of Rocky River be amended, as further described in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That Sections 1351.01, 1351.02, and 1351.03 of the Codified Ordinances of the City of Rocky River entitled "Light shields required", "Use in residence or apartment districts" and "Height restrictions; installation and shielding", respectively, be amended as further described in the attached Exhibit "A".

SECTION 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 2.13.23, 2023

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: 2.13.23, 2023 APPROVED: 2.13.23, 2023

ATTEST:

Angela G. Pease
ANGELA G. PEASE
Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

The undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 13th day of February, 2023.

Angela G. Pease
Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 4-23 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 13th DAY OF February 2023 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 4-23

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 13th DAY OF February, 2023.

Angela G. Pease
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

CHAPTER 1351
Artificial Lighting Devices

1351.01 *Operation of Lights.*

- 1351.02 Use in residence or apartment districts.
- 1351.03 Height restrictions; installation and shielding.
- 1351.99 Penalty.

CROSS REFERENCES

Lighting hours for outdoor shows - see BUS. REG. 725.07

1351.01 *OPERATION OF LIGHTS.*

~~No person shall install, maintain or operate on any premises in the City any light or lighting device, including searchlights, spotlights, beacon type or revolving lights or reflectors which direct rays or beams, or which shine or reflect concentrated rays of light on any public street or privately owned real property owned by others, unless such light or lighting device is first equipped with shields or similar devices which during the night season will prevent such rays or beams of light from shining on or reflecting on any such street, or on any home or building used for human habitation and owned by others. Any light or lighting device as herein contemplated, which does not have the shields or similar devices as herein set forth or which violates the provisions of this Chapter, is hereby declared to be a public nuisance and its use shall be enjoined. *All lighting operating after any upgrade, improvement or construction shall comply with Rocky River Codified Ordinance 1181.13.*~~

(Ord. 4-23. Passed 2.13.23.)

1351.02 USE IN RESIDENCE OR APARTMENT DISTRICTS.

All artificial lighting of private premises or the outside of buildings which are over fifteen (15) feet from the ground shall not be used or maintained in a district zoned for single or two-family residence, group dwellings or apartment use, from 10:00 p.m. to 7:00 a.m. of any day, except, *subject to the candle requirements of Rocky River Codified Ordinance 1181.13(c)(1)*, when used during the entrance to or exit from the premises or building on which such lights are situated by a person entering or leaving such premises or building.

(Ord. 4-23. Passed 2.13.23.)

1351.03 HEIGHT RESTRICTIONS; INSTALLATION AND SHIELDING.

Artificial lighting fixtures to be used in the night season shall not be installed on the premises or on the outside of a building in districts zoned by the City for single or two-family residence, group dwelling or apartment use, at a height greater than fifteen (15) feet from the ground level, and shall be shown on the plans and specifications submitted to the Building Commissioner when an application for a building permit is made. All such lights shall be installed at right angles to and facing the ground and shall be shielded so as not to shine upon neighboring homes and premises. *subject to the candle requirements of Rocky River Codified Ordinance 1181.13(c)(1)* (Ord. 4-23. Passed 2.13.23.)

1351.99 PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor for the first offense. Whoever violates any provision of this Chapter shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses.

(Ord. 7-82. Passed 2.8.82.)