

SPONSORED BY: Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Bill Mowery, Safety Chair

CITY OF NORTON
ORDINANCE NO. 38-2010

AN ORDINANCE ADDING CHAPTER 454 TO THE CODIFIED ORDINANCES AND REPEALING SECTION 1640.08 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Norton, Summit and Wayne Counties, State of Ohio, that:

- Section 1: Chapter 454 shall be added to the Codified Ordinances of the City of Norton to read as shown on **Exhibit A** attached hereto.
- Section 2: Section 1640.08 of the Codified Ordinances of the City of Norton, as it was originally enacted by Ordinance No. 28-1987 passed May 11, 1987, as amended by Ordinance No. 20-1988 passed April 25, 1988, as further amended by Ordinance No. 80-2006 passed October 23, 2006, is hereby repealed and shall be of no further force or effect.
- Section 3: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.
- Section 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective to enhance fire protection services within the City; wherefore this ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor; otherwise, it shall be effective at the earliest time permitted by law.

Emergency vote: _____Yeas _____Nays

Date passed: _____

Mike Zita, President of Council

Date submitted to the Mayor _____

Attest: _____
Karla Richards, CMC– Clerk of Council

David L. Koontz, Mayor

Date approved by the Mayor _____

I, Karla Richards, CMC-Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Ordinance No. 38-2010** was duly and regularly passed by the Council of the City of Norton, Summit County, Ohio at a meeting held on _____, 2010.

Karla Richards, CMC-Clerk of Council

That this legislation was posted according to law on _____, 2010 and will become effective on _____, 2010.

Prepared and approved as to legal form by Peter M. Kostoff, Law Director, City of Norton, February 23, 2010.

EXHIBIT A-ORD #38-2010

CHAPTER 454 Fire Lanes

454.01 PURPOSE.

It is the purpose of this chapter to guard against the occurrence of fires and to protect the property and lives of the residents of the City against damage and accidents resulting therefrom.

454.02 DESIGNATION OF LANES.

Wherever the Director of Public Safety, on the advice of the Fire Chief, finds that parking of vehicles does or will interfere with ready access by the Fire Division to a structure on the premises for the purpose of fighting fires therein, or with ready access to a fire hydrant installed for protection of the premises, the Director shall designate a reasonable area or areas leading to and adjacent to such structure or hydrant as a fire lane.

454.03 SIGNS AND MARKERS.

Upon the designation of a fire lane, as provided in Section 454.02, the Director of Public Safety shall notify, in writing, the owner of the premises of such designation and of the extent of such lane. Not later than ninety days after receipt of such notice, the owner shall cause to be placed or erected signs and markers along such fire lane notifying all persons of the existence of the fire lane. Thereafter the owner shall maintain such signs and markers in legible condition. The design and location of such signs and markers shall be specified by the Director and shall not be less than those required for such signs and markers on public highways as prescribed by the Ohio Department of Transportation, with such changes as shall be determined to be necessary by the Director of Public Safety, on the advice of the Fire Chief.

454.04 MAINTENANCE; SPECIAL CONSIDERATIONS.

(a) Maintenance. A designated fire lane shall be maintained and kept in a state of good repair at all times by the owner or person in control of the premises. When restriping, additions to the existing fire lanes are not permitted without prior approval of the Fire Chief or his or her designee.

(b) Grade. The gradient for a fire lane serving a building not protected throughout by a complete automatic sprinkler system shall not exceed 8%.

(c) Bridges. When a bridge is required to be used as access, or is part of a fire lane, it shall be constructed and maintained in accordance with the applicable standards with a design sufficient to carry the imposed load of a 60,000 pound fire apparatus. Vehicle load limits shall be posted at both bridge entrances when required by the Fire Chief or his or her designee.

(d) Gates. A gate installed across a street or fire lane shall be approved by the Fire Chief or his or her designee. Before any permits will be issued by the Building and Zoning Department for construction, plans shall be submitted to the Fire Division for approval. (Note:

Some properties or premises require the installation of a Rapid Access Key Box, per Chapter 1437.)

(e) Turn-around areas. Where it is not possible to connect a fire lane at both ends to a dedicated street, a turn-around area shall be provided. Dead-end streets or fire lanes exceeding 150 feet in length shall be provided with an approved area for turning of fire apparatus. The required turning radius of a fire lane shall be determined by the Fire Chief or his or her designee.

(f) Clearance. A fire lane shall have a vertical overhead clearance area of not less than 13 feet 6 inches high for the clearance of fire apparatus.

454.05 PARKING PROHIBITED; CITATIONS.

No person shall park a vehicle in any fire lane designated as such pursuant to this chapter. Any police officer or fire official shall have the authority to issue a citation for obstructing or parking a vehicle illegally in a fire lane. Any police officer or fire official shall have the authority to order an unattended vehicle left in a fire lane to be towed by any towing company licensed to do business in the City, and the towing company may condition the return of the vehicle to the owner upon the presentation of proof of ownership and the payment of towing and storage charges as allowed by law.

454.06 NOTICE; COMPLIANCE REQUIRED.

No owner of premises whereon a fire lane has been designated pursuant to Section 454.02, who has been given notice pursuant to Section 454.03, shall fail to provide, erect, install and maintain the signs and markers as required. A separate offense shall be deemed committed each day during or on which the provisions of Section 454.03 are not complied with after ninety days from the date of receipt of the notice and specifications.

454.07 PROOF OF VIOLATION; WAIVER.

The provisions of Sections 452.16 and 452.17 of the Traffic Code, governing proof of violations and waiver of court appearances, respectively, shall apply to the issuance of citations for and the prosecution of fire lane violations.