

Proposed: 11/07/2022

ORDINANCE NO. 160-2022 (PSH), *First Reading*

By Mayor Seren

An Ordinance amending Schedule I “Through Streets” of the Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights to remove all or portions of Euclid Heights Boulevard, Lee Boulevard, Lee Road, North Taylor Road, and South Taylor Road from the list designating “through streets” in the City of Cleveland Heights.

WHEREAS, Section 4511.21(B)(2) of the Ohio Revised Code and Section 333.03 “Maximum Speed Limits; Assured Clear Distance Ahead” of the Codified Ordinances of the City of Cleveland Heights provide that it is *prima-facie* lawful for the operator of a motor vehicle to drive at a speed not exceeding twenty-five miles per hour in all other portions of the municipality, except on state routes outside business districts, through highways outside business districts, and alleys; and

WHEREAS, Section 4511.01(HH) of the Ohio Revised Code defines a through highway as every street or highway as provided in Section 4511.65 of the Revised Code; and

WHEREAS, Section 301.43 “Through Street or Highway” of the Codified Ordinances of the City of Cleveland Heights defines a through street or highway as every street or highway as provided in Section 313.02 of the Codified Ordinances; and

WHEREAS, Section 4511.65(B) of the Ohio Revised Code and Section 313.02 “Through Streets; Stop and Yield Right-of-Way Signs” of the Codified Ordinances of the City of Cleveland Heights provide that in residence districts the municipality may by ordinance designate a street or highway, or portion thereof, not to be a through highway; and

WHEREAS, Section 4511.01(OO) of the Ohio Revised Code and Section 301.31 “Residence District” of the Codified Ordinances of the City of Cleveland Heights define a residence district as “the territory, not comprising a business district, fronting on a street or highway, including the street or highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business;” and

WHEREAS, on September 19, 1949 the City of Cleveland Heights passed Ordinance 65-1949 designating through streets, outlined by Schedule I “Through Streets” of the Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights; and

WHEREAS, on August 16, 2021 the City of Cleveland Heights passed Resolution 96-2021 adopting and supporting the ideals, principles, and concepts of Vision Zero for the City of Cleveland Heights; and

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WHEREAS, it is necessary to amend Schedule I “Through Streets” of the Codified Ordinances of the City of Cleveland Heights in order to enable the City to reduce the maximum allowable speed on the included streets or portions thereof; and

WHEREAS., it is also necessary to amend Schedule V “Alleys Designated” to include an additional two roads; and

WHEREAS, it would be in the best interest of the City and its residents to amend the Codified Ordinances so that City Ordinances are consistent with the City’s commitment to the ideals, principles, and concepts of Vision Zero as adopted by Resolution 96-2021.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Section (a) of Schedule I “Through Streets” of Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights shall be and is hereby amended to read as follows (additions bolded and underlined, deletions strikethrough):

(a) The following streets are hereby designated to be through streets:

Cedar Road

Euclid Heights Boulevard **west of Coventry Road**

Fairmount Boulevard

Forest Hills Boulevard

Lee Boulevard

~~Lee Road~~

Mayfield Road

Monticello Boulevard

Noble Road **south of Monticello Boulevard**

North Park Boulevard

North Taylor Road **south of Monticello Boulevard**

South Taylor Road **north of Euclid Heights Boulevard**

Superior Road north of Mayfield Road

Warrensville Center Road

Stop signs shall be erected at the intersection of each street intersecting such through streets.

SECTION 2. Section V “Alleys Designated” of Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to add Wilmar Court and Andrews Court to the list of designated alleys therein.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

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SECTION 4. This Ordinance shall take effect and be in force at the earliest time permitted by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to the Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor