

# City of Cincinnati

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## An Ordinance No. \_\_\_\_\_

- 2023

**MODIFYING** the provisions of Chapter 100, “Mayor,” Chapter 101, “Council,” Chapter 323, “Small Business Enterprise and Local Business Enterprise Programs,” Chapter 408 “Drivers’ Licenses for Public Vehicles,” Chapter 506, “Operation and Right of Way,” Chapter 508, “Stopping and Parking,” Chapter 514, “Parking Permits,” Chapter 515, “Parking Infractions; Collection Procedures,” Chapter 729, “Waste Disposal,” Chapter 850, “Advertising of Tobacco Products,” Chapter 881, “Facilities for Public Assembly,” Chapter 1107, “Elevator and Conveyer Equipment,” Chapter 1207, “Drills,” Chapter 1213, “Fireworks,” Chapter 1401, “Definitions,” Chapter 1421, “General Site Standards,” and Chapter 1425, “Parking and Loading Regulations,” of the Cincinnati Municipal Code by **AMENDING** Section 100-1, “Qualifications of the Mayor”; Section 101-1, “Qualifications of Members of Council”; Section 101-17, “Approval of Code Changes by City Solicitor”; Section 101-27, “References to Cincinnati Municipal Code”; Section 323-27, “City Maintained Records and Reports”; Section 408-13, “Driver’s Identification Card”; Section 506-69, “Stopping for School Buses”; Section 506-93, “Quiet Zones”; Section 508-12, “Parking Unreasonable Time”; Section 508-36, “Handicapped Parking, Reserved Locations on Public and Private Property”; Section 514-13, “Fee Schedule”; Section 515-11, “Parking Infraction Fines”; Section 729-7, “Setting Out Containers”; Section 850-1-P3, “Public Vehicle”; Section 881-3, “Facility for Public Assembly License”; Section 1107-01, “General”; Section 1207-21, “Fire Safety Plan and Evacuation Procedure/Living Facilities for Handicapped and Aged Persons”; Section 1213-15, “Display”; Section 1401-01-T, “Transitional Housing”; Section 1421-07, “Building Projections Into Yards”; and Section 1425-31, “Parking Lot Markings,” to update provisions of the Cincinnati Municipal Code to comport with current practices of the City of Cincinnati and to ensure the intended application of the law using the most current and accepted language.

WHEREAS, the City wishes to be a welcoming and inclusive environment for all people and seeks to prohibit wrongful discrimination in all forms, including by using the most accurate terms and definitions in its laws; and

WHEREAS, the Cincinnati Municipal Code occasionally must be updated to ensure the most accurate terms and definitions are used to express the intent and purpose of the laws of the City of Cincinnati; and

WHEREAS, courts and legislative bodies throughout the United States have refined their terminology to better include individuals with disabilities; and

WHEREAS, Council desires to update various provisions of the Cincinnati Municipal Code to comport with current practices of the City and to ensure the intended application of the law using the most current and accepted language; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 100-1, "Qualifications of the Mayor," of Chapter 100, "Mayor"; Section 101-1, "Qualifications of Members of Council," Section 101-17, "Approval of Code Changes by City Solicitor," and Section 101-27, "References to Cincinnati Municipal Code," of Chapter 101, "Council"; Section 323-27, "City Maintained Records and Reports," of Chapter 323, "Small Business Enterprise and Local Business Enterprise Programs"; Section 408-13, "Driver's Identification Card," of Chapter 408, "Drivers' Licenses for Public Vehicles"; Section 506-69, "Stopping for School Buses," and Section 506-93, "Quiet Zones," of Chapter 506, "Operation and Right of Way"; Section 508-12, "Parking Unreasonable Time," and Section 508-36, "Handicapped Parking, Reserved Locations on Public and Private Property," of Chapter 508, "Stopping and Parking"; Section 514-13, "Fee Schedule," of Chapter 514, "Parking Permits"; Section 515-11, "Parking Infraction Fines," of Chapter 515, "Parking Infractions; Collection Procedures"; Section 729-7, "Setting Out Containers," of Chapter 729, "Waste Disposal"; Section 850-1-P3, "Public Vehicle," of Chapter 850, "Advertising of Tobacco Products"; Section 881-3, "Facility for Public Assembly License," of Chapter 881, "Facilities for Public Assembly"; Section 1107-01, "General," of Chapter 1107, "Elevator and Conveyor Equipment"; Section 1207-21, "Fire Safety Plan and Evacuation Procedure/Living Facilities for Handicapped and Aged Persons," of Chapter 1207, "Drills"; Section 1213-15, "Display," of Chapter 1213, "Fireworks"; Section 1401-01-T, "Transitional Housing," of Chapter 1401, "Definitions"; Section 1421-07, "Building Projections Into Yards," of Chapter 1421, "General Site Standards"; and Section 1425-31, "Parking Lot Markings," of Chapter 1425, "Parking and Loading Regulations," of the Cincinnati Municipal Code are amended to read as follows:

**Sec. 100-1. - Qualifications of the Mayor.**

The mayor shall be an elector of the city and shall not hold any other public office except that of notary public or member of the state militia. The mayor shall not be interested in any contract with the city and shall not hold employment with the city.

A person serving as mayor who ceases to possess any of the above qualifications or removes from the city shall forthwith forfeit the office of mayor.

An officer, director, stockholder, employee, or owner of any interest in a financial institution or public depository receiving inactive, interim, or active deposits pursuant to the Uniform Depository Act of the Ohio Revised Code shall not be deemed to hold public office or be interested, either directly or indirectly, as a result of such relationship, in the deposit of such inactive, interim, or active deposits of public moneys for the purpose of any law prohibiting an elected official of the City of Cincinnati from holding other office or being interested in any contract of the city of Cincinnati.

The mayor shall not be deemed to hold other public office when appointed or designated by council or selected by a governmental or quasi-governmental body to represent the city on the board or commission of any governmental or quasi-governmental body, including, but not limited to, the OKI, District 13 Council of Governments on Law Enforcement, the Port Authority, the Transit Authority, Hamilton County Mental Health and Recovery Services, and ~~the Community Mental Health and Mental Retardation Board of Hamilton County~~ Hamilton County Developmental Disabilities Services. The mayor shall not be deemed to hold public office when appointed a director of the Federal Home Loan Bank, nor considered as having an interest, directly or indirectly, in the purchase or sale by the city or the Federal Home Loan Bank System of securities issued by the Federal Home Loan Bank System or the city.

**Sec. 101-1. - Qualifications of Members of Council.**

Each member of council shall be an elector of the city and shall not hold any other public office except that of notary public or member of the state militia. A member of council shall not be interested in any contract with the city and shall not hold employment with the city.

A member who ceases to possess any of the above qualifications or removes from the city shall forthwith forfeit the office of council member.

An officer, director, stockholder, employee, or owner of any interest in a financial institution or public depository receiving inactive, interim, or active deposits pursuant to the Uniform Depository Act of the Ohio Revised Code shall not be deemed to hold public office or be interested, either directly or indirectly, as a result of such relationship, in the deposit of such inactive, interim, or active deposits of public moneys for the purpose of any law prohibiting a member of council from holding other office or being interested in any contract of the city of Cincinnati.

A member of council shall not be deemed to hold other public office when appointed by the mayor or designated by council or selected by a governmental or quasi-governmental body to represent the city on the board or commission of any governmental or quasi-governmental body, including, but not limited to, the OKI, District 13 Council of Governments on Law Enforcement, the Port Authority, the Transit Authority, Hamilton County Mental Health and Recovery Services, and ~~the Community Mental Health and Mental Retardation Board of Hamilton County~~ Hamilton County Disabilities Services. A member of council shall not be deemed to hold public office when appointed a director of the Federal Home Loan Bank, nor considered as having an interest, directly or indirectly, in the purchase or sale by the city or the Federal Home Loan Bank System of securities issued by the Federal Home Loan Bank System or the city.

**Sec. 101-17. - Approval of Code Changes by City Solicitor.**

Every ordinance ~~amendatory of, or supplementary to,~~ that amends or supplements the Cincinnati Municipal Code shall be submitted to the city solicitor before being passed by council. If any provision of the Cincinnati Municipal Code as amended or supplemented ~~any such ordinance shall~~ conflicts with any other existing section of the code, the solicitor shall prepare and insert in the proposed ordinance a clause repealing the section in conflict.

**Sec. 101-27. – References to Cincinnati Municipal Code.**

In all ordinances, resolutions and proceedings relating to, or referring to, ordinance provisions included in this code of ordinances, or amendments or supplements thereof, the term “Cincinnati Municipal Code,” or the abbreviation “CMC”~~“C.M.C.”~~, with the respective section, chapter, or title number, shall be a sufficient designation for such reference.

**Sec. 323-27. - City Maintained Records and Reports.**

- (a) The effectiveness of this program will be measured by a review of data indicating prime and subcontract awards to SBEs, SLBEs, and ELBEs. Program effectiveness measurements will also include efforts by the city to provide prime contracting opportunities for SBEs, SLBEs, and ELBEs. At the end of each contract, the department will prepare a report on the utilization of firms in the SBE, SLBE, and ELBE programs. Data in this report will include information on the gross income size of the firms participating on each contract. Each project manager and the procurement staff will continuously maintain, and compile monthly, information relating to the departments’ use of SBEs, SLBEs, and ELBEs, including information regarding subcontractors and efforts toward SBE program participation.
- (b) At the end of a contract, the director shall require a contractor to report to the department the identity of each SBE, SLBE, and ELBE to whom the contractor has awarded a subcontract for the purchase of services, professional services, supplies, materials, and equipment.

- (c) The director shall prepare quarterly a consolidated report based on a compilation and analysis of the reports submitted by each project manager and the procurement staff, information provided by the finance department, and the reports submitted by prime contractors. This record-keeping system will identify and assess SBE, SLBE, and ELBE contract awards, prime contractors' progress in achieving SBE, SLBE and ELBE subcontract participation, and other SBE, SLBE and ELBE development and contracting efforts. Specifically, the department in conjunction with all city agencies will maintain records showing:
- (1) Awards to SBEs, SLBEs and ELBEs including names of contractors and subcontractors, nature of the work and services performed, and the percentage of SBE, SLBE and ELBE participation per contract. The city of Cincinnati will obtain regular reports from prime contractors on their progress in meeting contractual SBE, SLBE and ELBE commitments;
  - (2) Specific efforts to identify and award contracts to SBEs, SLBEs and ELBEs;
  - (3) Copies of direct mailings to SBEs, SLBEs and ELBEs;
  - (4) Pre-bid conference information as it relates to the SBE, SLBE and ELBE programs;
  - (5) Requests for assistance from the SBEs, SLBEs and ELBEs interested in bidding or proposing on city of Cincinnati contracts and subcontracts;
  - (6) Workshops, seminars, and training programs conducted for SBEs, SLBEs and ELBEs;
  - (7) Efforts to assist SBEs, SLBEs and ELBEs in acquiring bonding and insurance; and
  - (8) Contracts for which a full or partial waiver of SLBE or ELBE participation was granted pursuant to Section 323-17 of this chapter.
- (d) The director will submit quarterly SBE, SLBE and ELBE development reports to city council. These reports shall include:
- (1) The number of contracts awarded to SBEs, SLBEs and ELBEs;
  - (2) A description of the general categories of contracts awarded to SBEs, SLBEs and ELBEs;
  - (3) The dollar value of contracts awarded to SBEs, SLBEs and ELBEs; and

- (4) (A) The percentage of the dollar value of all contracts awarded to SBEs, SLBEs and ELBEs during the preceding year;
- (B) The actual dollar amount paid to SBE, SLBE, ELBE and all other vendors as prime or subcontractors; and
- (C) The percentage of dollar amount paid to SBEs, SLBEs and ELBEs compared to the total.

The city of Cincinnati does not discriminate against any company or group of companies in its contracting and procurement activities on the basis of race, color, age, religion, sex, national origin, ~~handicap~~/disability, or veteran status. The SBE, SLBE and ELBE opportunity does not propose any numeric goals determined by the rate of program participation by minorities or women; but will require this information at the end of city contracts. The program is designed to include all segments of the region's business community by increasing the competitiveness and profitability of all small businesses as defined within this program.

**Sec. 408-13. - Driver's Identification Card.**

At the time a driver's license is issued, the city treasurer shall issue to the driver an identification card, upon which shall be affixed one of the photographs filed with the director. The cards shall be numbered consecutively, and the number thereon shall be written on the license receipt issued to the driver. The card shall bear the driver's name, signature, the year in which it was issued and such other pertinent information as the city treasurer may require. Whenever a driver is driving any vehicle for which a public vehicle license (except motor bus) is required, the driver shall ensure that the identification card is continuously displayed within the vehicle operated by the licensee so as to be easily visible to passengers; and shall display his or her identification card on demand to any public vehicle inspector, police officer or citizen. Such identification card and license shall not be assigned or transferred to any other person.

In addition, drivers of ~~handicapped~~ livery-accessible vehicles shall wear a uniform or uniform shirt carrying the driver's name and the name or trade name of the holder of the public vehicle license for the vehicle which he or she drives.

**Sec. 506-69. - Stopping for School Buses.**

The driver of a vehicle, upon meeting or overtaking from either direction any yellow school bus stopped for the purpose of receiving or discharging any school child or person attending programs offered by community boards of mental health and county boards of ~~mental retardation and developmental~~ disabilities, shall stop at least 10 feet from the front or rear of the yellow school bus and shall not proceed until such school bus resumes motion, or until signaled by the school bus driver to proceed. The requirement to stop shall not apply for vehicles approaching a school bus on the opposite side of a highway divided into

four or more traffic lanes; the driver of a vehicle overtaking a school bus on such a divided highway is still required to comply with the requirement to stop.

Whoever violates this section may be fined an amount not to exceed \$500.

**Sec. 506-93. - Quiet Zones.**

The city manager or person designated by the city manager may designate zones of quiet upon any highway within 250 feet of any hospital, school, court, church, ~~asylum~~ mental health institution, or other like institution.

When any such zone is so designated by official traffic signs, no person therein shall blow a horn or a whistle or make or cause any outcry or any avoidable noise or clamor likely to disturb persons within such zone.

**Sec. 508-12. - Parking Unreasonable Time.**

No person shall park any vehicle contrary to traffic signs erected as otherwise authorized herein; and further, no person shall park any vehicle upon any highway longer than 24 hours except vehicles parked at metered or loading locations upon which the vehicles shall be parked in accordance with Chapter 509 of the Cincinnati Municipal Code and under no circumstances for longer than 14 hours, and vehicles operated by or for the transport of a person with a disability that limits or impairs the ability to walk which display a valid removable windshield ~~handicapped-disability~~ placard, or special ~~handicapped~~ disability license plates alone, or special ~~handicapped-disability~~ license plates and validation stickers, or validation stickers alone, issued pursuant to the provisions of Chapter ~~50344~~503 of the Ohio Revised Code or the equivalent thereof from any other state, may park upon a highway for up to but not more than 36 hours.

**Sec. 508-36. - ~~Handicapped~~ Accessible Parking, Reserved Locations on Public and Private Property.**

No person shall stop, stand, or park any motor vehicle at special, clearly marked, parking locations provided for ~~the handicapped persons with disabilities~~ in or on privately or publicly owned parking lots, parking garages or other parking areas or public streets and highways unless the motor vehicle is displaying a parking card issued under Section 4503.44 of the Revised Code or is being operated by or for the transport of a ~~handicapped~~ person with a disability and is displaying the special license plates authorized by Section 4503.44 of the Revised Code or the equivalent thereof from any other state.

As used in this section, "~~handicapped person with a disability~~" means a person having lost the use of one or both legs, one or both arms, or any combination thereof, or being blind or deaf or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair, or a person whose mobility is restricted by a permanent cardiovascular, pulmonary, or other ~~handicapping~~ disabling condition.

**Sec. 514-13. - Fee Schedule.**

The following are exempt from the provisions of this Chapter:

- (a) A vehicle bearing the special ~~handicapped~~-license plate for a person with a disability as provided in Ohio Revised Code 4503.44 or a similar license plate issued by any other state.
- (b) A vehicle bearing the special disabled veterans license plates as provided by Ohio Revised Code 4503.41 or a similar license plate issued by any other state.
- (c) A truck, commercial vehicle or a vehicle operated by a utility company, or a governmental entity when the driver is making a delivery, pickup or service call in the normal course of employment.
- (d) Parking necessitated by emergency or mechanical failure.
- (e) Any vehicle exempted in the aforementioned provisions may not violate any other traffic or parking regulation or control device.

**Sec. 515-11. - Parking Infraction Fines.**

- (a) The following fines for parking infractions are hereby established:

Sec. 502-3	Parking prohibitions during street sweeping operations	\$65.00
Sec. 508-1	Stopping and parking	65.00
Sec. 508-1	Unauthorized stopping and parking	65.00
Sec. 508-1A(c)	Unauthorized stopping and parking within 10 feet of a fire hydrant	250.00
Sec. 508-1-B	Unauthorized stopping and parking along streetcar track	100.00
Sec. 508-2	Parking and stopping restrictions, unauthorized	65.00
Sec. 508-3	Parking so as to create obstruction prohibited	65.00
Sec. 508-6	No standing and no parking zones	65.00
Sec. 508-7	Truck loading zones	65.00
Sec. 508-8	No standing, no stopping, no parking zones designated	65.00
Sec. 508-11	Parking of trucks restricted	65.00
Sec. 508-12	Parking unreasonable time	65.00

Sec. 508-17	Trucks obstructing traffic	65.00
Sec. 508-21	Parking in public transit stops	65.00
Sec. 508-22	Unlawful parking of taxicabs	65.00
Sec. 508-23	Trailer parking	44.00
Sec. 508-24	Taxicab, restrictions	65.00
Sec. 508-25	Unauthorized license plates	65.00
Sec. 508-26	Parking at curbs	65.00
Sec. 508-27	Parking on narrow streets	65.00
Sec. 508-28	Parking on grade	65.00
Sec. 508-29	Parking vehicle for sale	65.00
Sec. 508-31	Locks on motor vehicle	65.00
Sec. 508-32	Repaired, serviced, or stored vehicles, parking on streets	65.00
Sec. 508-33	Parking on controlled access highways	65.00
Sec. 508-34	Snow emergency	56.00
Sec. 508-36	<del>Handicapped</del> Accessible parking	250.00
Sec. 508-38	Parking in reserved car sharing spaces	65.00
Sec. 510-5	Parking on parade route	65.00

(b) The following fines for parking infractions issued on or before June 30, 2013, are hereby established:

Sec. 509-4	Metered spaces - across line	\$35.00
Sec. 509-7	Unmetered parking	35.00
Sec. 509-8	Repeat metering	35.00

(c) The following fines for parking infractions issued on or after July 1, 2013 are hereby established:

Sec. 509-4	Metered spaces - across line	\$45.00
Sec. 509-7	Unmetered parking	45.00
Sec. 509-8	Repeat metering	45.00

**Sec. 729-7. - Setting Out Containers.**

It shall be the duty of every owner, tenant, agent, lessee, occupant, and person in charge of any and every dwelling in the city to place all waste that is to be collected by the division of sanitation in properly closed containers that meet the requirements of Section 729-5. Such containers shall be placed not more than three feet from the curb or curblin in front of the building unless the owner, tenant, agent, lessee, occupant, or person in charge of a dwelling is notified by the department of public services to place the containers in another location for collection. All containers must be set out for collection no earlier than

5:00 p.m. on the day before the scheduled day of collection, but no later than 6:00 a.m. on the day of collection. The waste containers shall in all cases be kept outside of any fence, wall, enclosure, dwelling or building on the day of collection.

Any city resident ~~who is with a physically handicapped to the extent that such resident cannot disability who is unable to~~ set the week's accumulation of waste at the curb for collection can receive set-out service as provided in Section 729-11 by providing written documentation of his or her condition to the director of public services or his or her designee and following procedures established by the director for requesting set-out service. The director of public services or his or her designee will approve any request for set-out service that meets the requirements of this section.

**Sec. 850-1-P3. - Public Vehicle.**

“Public Vehicle” means a vehicle by which individual service for compensation in the transportation of persons on the public streets or highways is furnished or offered to be furnished including taxicabs, limousines, ~~handicapped livery~~ accessible vehicles, and animal-drawn carriages.

**Sec. 881-3. - Facility for Public Assembly License.**

- (a) No person shall operate a facility for public assembly without first obtaining from the director of safety a license. This license shall be in addition to any other license, permit, or certificate which may be required by law, ordinance, or regulation.

The facility manager of a new permanent facility for public assembly shall make application on a form provided by the director of safety 60 days prior to the use of the facility. The facility manager of a facility or person responsible for a facility involving street events or other events requiring a special event permit for public assembly shall make application on a form provided by the director of safety 90 days prior to the date of the event.

- (b) Any person seeking the license or renewal of a facility for public assembly license shall apply in writing to the director of safety. The application shall include the following information:
  - (1) The name and address of the applicant. If the applicant is a corporation or association the names and addresses of the principal officers. If the applicant is a partnership, the names and addresses of the partners.
  - (2) A description, either verbal or graphic, of the facility, which shall include:
    - a. The site of the facility, including surrounding areas.

- b. The inner and outer dimensions of the facility.
  - c. The number of entrances and exits and their locations.
  - d. Possible configurations of the facility and site for an event, including the area of performance, exhibition or gathering, and the locations of aisles, stage, and seating.
  - e. The location, number, type, and description of seating, if applicable, including the construction material and whether the seats are fixed or portable, bench or separate.
  - f. The inside and outside lighting, including house lighting, exit lighting and emergency lighting.
  - g. The location of any restrooms, refreshment stands, souvenir stands and first aid rooms.
  - h. Any accommodations which are available for admitting and seating ~~handicapped and disabled persons~~ with disabilities.
  - i. The number, type, and location of public and private parking available for use by patrons to the facility.
- (3) A plan of operating procedure which categorizes the events to be held at the facility and which contains the following information with respect to each category:
- a. A description of the category.
  - b. The number and location of entrance and exit doors and permanent and temporary turnstiles for admission of patrons to the facility, including ratio of doors and turnstiles to the total number of patrons anticipated for an event.
  - c. The duties and responsibilities of persons in charge of the facility, medical services, ushers, ticket takers and security personnel, and the names, addresses and telephone numbers of persons currently holding such positions.
  - d. The ratio of ushers, ticket takers, security personnel and medical service personnel to the total number of patrons anticipated for an event, and a description of the duties and responsibilities of such personnel.

- e. The type of liquor license held by the facility or its concessionaire and the type and alcohol content of alcoholic beverages to be served.
  - f. Arrangements for communication between internal and external security personnel, including city personnel, and arrangements for emergency communication with patrons.
  - g. Medical services available to patrons.
  - h. Description of training received by personnel in crowd management techniques and life-saving medical techniques such as first aid and cardiopulmonary resuscitation.
  - i. Arrangements for pre-entry staging areas, queuing, ticket checking at remote points, ticket taking and other admissions procedures designed to ensure the safety of patrons and the exclusion of others not entitled to entry.
  - j. Rules and regulations of the facility applicable to patrons or employees.
  - k. Emergency plans, including methods for emergency ingress and egress.
  - l. Insurance coverage, of operator of the facility, including type of risk and amount. If the city of Cincinnati is named as an additional insured on any insurance policy for an event, a copy of any policy shall be attached to the application.
  - m. City services or personnel needed for an event.
- (c) Any person who conducts any events at a facility for public assembly having knowledge or possession of the information required by this section shall provide such information to the applicant for a license.

**Sec. 1107-01. - General.**

- (a) The provisions of this Chapter shall govern the construction, installation, alteration, maintenance, operation, inspection, and testing of all elevators, dumbwaiters, buck hoists, escalators, moving walks, belt manlifts, and special hoisting and conveying equipment hereafter operated, installed, relocated, or altered within the city of Cincinnati.

- (b) Except as otherwise provided herein, the construction, installation, alteration, maintenance, operation, inspection, and testing of elevators shall conform to the standards referenced in Section 1107-23, Ohio Administrative Code 4101: 5-3-01 and ANSI/ASSE, "Personnel Hoists and Employee Elevators on Construction and Demolition Site."
- (c) The provisions of this chapter shall not apply to portable elevating devices used to handle materials only.
- (d) Notwithstanding any other provisions of this chapter, the director may permit the installation of vertical wheelchair lifts to provide for ~~handicapped~~ accessibility where such lifts exceed the maximum travel distance of 12 feet upon the demonstration of a hardship and an equivalent degree of safety.

**Sec. 1207-21. - Fire Safety Plan and Evacuation Procedure/Living Facilities for ~~Handicapped and Aged Persons~~ and Persons with Disabilities.**

- (a) The owner or other person having charge of buildings, which are required to provide living facilities for ~~handicapped and aged persons~~ and persons with disabilities, as defined in the Cincinnati - Ohio Building Code, shall be required to prepare and submit for the review of the fire official, a fire safety and evacuation procedure as set forth in this section and a fire plan review fee in the amount of one hundred dollars (\$100.00).
- (b) A fire safety plan and evacuation procedure, prepared in accordance with the requirements of the fire official, shall be distributed to all tenants and building service employees. A floor plan showing evacuation routes shall be posted at the entrance to every required means of egress on each floor level.
- (c) It shall be the responsibility of the owner or his agent to promptly update the fire safety plan and evacuation procedure upon changes in occupancy, use or physical arrangement.
- (d) A copy of the fire safety plan and evacuation procedure shall be maintained on the premises by the owner or occupant in charge of said premises, and shall be submitted to the fire official when requested for inspection and evaluation.
- (e) This section shall not apply to owner-occupied detached single-family dwellings or multiple single-family buildings, such as townhouses.

**Sec. 1213-15. – Display.**

- (a) No permit shall be granted for any display of fireworks where the discharge, failure to fire, faulty firing, or fallout of any fireworks or other objects

would endanger persons, buildings, structures, vehicles, forest or brush, ~~not in any ease~~ or for any display where the point at which fireworks are to be fired is less than 500 feet from any hospital, ~~asylum~~ mental health facility, or infirmary.

- (b) Spectators at a display of fireworks shall be restrained behind lines or barriers designated by the fire chief or a representative of the fire chief. Only persons authorized by the fire chief or representative and persons directly in charge of the display will be allowed inside these lines or barriers during the unloading, preparation or firing of fireworks.
- (c) All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, provided that where such fireworks are to be fired beside a lake or other large body of water, they may be directed in such a manner that the falling residue from the deflagration will fall into the body of water.
- (d) Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of fireworks. The debris from the discharged fireworks shall be properly disposed of by the operator before leaving the premises. The operator, upon the conclusion of the display, shall make a complete and thorough search for any unfired fireworks or pieces which have failed to fire or function and shall dispose of them in a safe manner. Such search shall be instituted immediately following the conclusion of the display, and if the display is conducted at night, also at sunrise the following morning.
- (e) No fireworks display shall be held during any windstorm in which the wind reached a velocity of more than 20 miles per hour.
- (f) All class B fireworks to be used at a fireworks exhibition shall be stored in an approved magazine until immediately prior to their use. Such magazine shall be located in an area approved by the local fire official and shall meet the table of distance requirements of Section F-2600 of the Cincinnati Fire Prevention Code.
- (g) Other than class B fireworks, all fireworks articles and items at places of display shall be stored in a closed wooden box or flame-resistive tarpaulin secure from fire, accidental discharge and theft until they are to be used.
- (h) As soon as the fireworks have been delivered to the display site, they shall not be left unattended nor shall they be allowed to become wet.

**Sec. 1401-01-T. - Transitional Housing.**

“Transitional housing” means housing designed to assist persons in obtaining skills necessary for independent living in permanent housing, including homes for adjustment and halfway houses. Transitional housing is housing in which:

- (a) An organization provides a program of therapy, counseling, or training for the residential occupants;
- (b) The organization operating the program is licensed or authorized by a governmental authority having jurisdiction over operation; and
- (c) The program is for the purpose of assisting the residential occupants in one or more of the following types of care:
  - (1) Protection from abuse and neglect;
  - (2) Developing skills necessary to adjust to life;
  - (3) Adjusting to living with the ~~handicaps~~ challenges of a physical disability;
  - (4) Adjusting to living with the ~~handicaps~~ challenges of an emotional or mental disorder or ~~mental retardation~~ an intellectual disability;
  - (5) Recuperation from the effects of drugs or alcohol, even if under criminal justice supervision; or
  - (6) Readjusting to society while housed under criminal justice supervision including, but not limited to, pre-release, work-release, and probationary programs.

**Sec. 1421-07 . - Building Projections Into Yards.**

The standards for building projections into setback areas are prescribed in Schedule 1421-07 below.

**Schedule 1421-07: Maximum Projections Allowed Into Yards (Feet)**

Physical Element	Front Yard	Side Yard	Rear Yard
Cornices, sills, belt courses, eaves, and other ornamental features 1425-31	2.5	2.5	2.5

Fire escapes	4.5	4.5	4.5
Uncovered stairways and necessary landings not extending above building entrance floor	4.5	4.5	4.5
Bay windows, fireplaces, and chimneys of less than 1/3 the length of the building wall	3.0	3.0	3.0
Terraces and uncovered porches not more than three feet above the floor level of the ground story	2.5	2.5	2.5
Porte-cocheres and canopies	2.5	2.5	2.5
Balconies into yards of less than 20 feet in SF or RM Districts in aggregate less than 1/3 the length of the building wall	3	3	3
Balconies into yards of more than 20 feet in SF or RM districts in aggregate less than 1/3 the length of the building wall	6	6	6
In all other districts other than residential, balconies no closer to any lot line than 20 feet or 1/3 of the required yard space at the top story, whichever is less	8	8	8
Air conditioners, compressors and similar noise emitting devices in districts other than residential	—	—	Anywhere <sup>1</sup>
Power generating equipment	—	—	Anywhere <sup>1</sup>
<del>Handicap</del> Access ramps, excluding handrails, not extending above the floor level of the ground story	Anywhere	Anywhere	Anywhere <sup>1</sup>

<sup>1</sup> Except within required buffer yard.

**Sec. 1425-31. - Parking Lot Markings.**

Driveways and parking areas must include markings consistent with the following standards:

- (a) *Markings.* Each parking space and parking facility must be identified by surface markings at all times. The markings must be arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles. Markings required to be maintained in a highly visible condition include striping, directional arrows, and signs for ~~handicapped-designated~~ designated for persons with disabilities.
- (b) *Directional Arrows.* One-way and two-way access ways into required parking facilities must be identified by directional arrows. Any two-way access located at any angle other than 90 degrees to a street must be marked with a traffic separation stripe throughout the length of the access; this requirement does not extend to aisles.
- (c) *Exit Signs.* Where the exit may not be clearly recognizable, directional signage must be provided.

Section 2. That the proper City officials are authorized to do all things necessary and proper to implement the provisions of Section 1 of this ordinance.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
New language underscored. Deleted language indicated by strikethrough.