

MODIFYING Title VII, “General Regulations,” of the Cincinnati Municipal Code by **AMENDING** Section 721-155, “Right of Appeal,” of Chapter 721, “Streets and Sidewalks, Establishment and Maintenance,” to modify the members of the sidewalk board of appeals and to clarify the role of the City Solicitor as legal advisor to the board.

WHEREAS, Cincinnati Municipal Code Section 721-155 establishes a sidewalk board of appeals to hear appeals filed by abutting property owners concerning certain matters related to sidewalks, curbs, gutters, driveways, and parking lots; and

WHEREAS, Cincinnati Municipal Code Section 721-155 also prescribes the makeup of the sidewalk board of appeals; and

WHEREAS, the Council wishes to modify Section 721-155 of the Cincinnati Municipal Code to update the makeup of the sidewalk board of appeals to reflect the current organization of the City and to clarify the City Solicitor’s role as the legal adviser to the board; now, therefore,

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

Section 1. That Section 721-155, “Right of Appeal,” of Chapter 721, “Streets and Sidewalks, Establishment and Maintenance,” of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 721-155. - Right of Appeal.

A board, to be known as the ~~S~~sidewalk ~~B~~board of ~~A~~appeals, shall hear and determine any protests filed by property owners or their agents as to sidewalks, curb, or gutter construction, reconstruction or repair, the surfacing of driveways and parking lots, or appeals from owners dissatisfied with any modification authorized by the city engineer under Section 721-145.

The sidewalk board of appeals shall consist of five members. Two members shall be appointed by the city manager for a period of three years, or until a successor is appointed. These members must be residents of the City of Cincinnati, own real property within the city, and may not be employees of the city. The remaining three members shall be the director of transportation and engineering public works, the city engineer, the director of public services ~~city solicitor~~, or their respective representatives-designees. The city solicitor shall serve as the legal advisor to the sidewalk board of appeals.

Section 2. That existing Section 721-155, "Right of Appeal," of Chapter 721, "Streets and Sidewalks, Establishment and Maintenance," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That the City Manager and the proper City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including by updating applicable rules and regulations and policies and procedures in accordance with the modifications to the Cincinnati Municipal Code provided for herein.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Additions indicated by underline; Deletions indicated by strikethrough.