

*“Good Fences Make Good Neighbors,”* wrote American poet Robert Frost from his perspective in rural New England in the early 1900s.

Today in Garfield Heights, local laws serve as the “good fences” that help define the boundaries between the rights of individuals and those of the community as a whole.

By adhering to these rules, we all become better neighbors—and help build a much friendlier and more peaceful community.

It is in that spirit that we have produced this overview of our city’s “Quality of Life” ordinances. It is a concise summary of the laws governing the areas of community life frequently at the center of neighborhood disputes.

**This booklet is not meant to serve as a “Nit-pickers Guide.” The “letter of the law” vs. the “spirit of the law” is often influenced by special circumstances. Don’t presume to judge for yourself. That’s where neighborhood problems often start.**

Instead, if you perceive some activity, condition or behavior as a nuisance, or an encroachment on your rights, consult this guide to determine what the law defines to be “over the line,” and potentially illegal circumstances.

If, after consulting this guide, you are convinced the situation is illegal, you might offer a friendly suggestion to the offending party to consult the guide themselves, or, you can call the appropriate city department and ask them to investigate the matter further.

Sincerely,

**Thomas J. Longo, Mayor**  
City of Garfield Heights

## No Tolerance Policy

The City of Garfield Heights has adopted a “No Tolerance Policy,” as it relates to **LOITERING, BALL PLAYING IN THE STREETS, CURFEW and LOUD NOISES**, and any and all activities that threaten the “Quality of Life” for all Garfield Heights Residents. Resolution 45-2005 Adopted 10/24/2005.

### Common Legal Questions Asked by Residents

Q: What is ethnic intimidation?

A: Ethnic intimidation is a criminal offense under Ohio Revised Code Section 2927.12 and Codified Ordinance Section 541.09. It is a separate offense from aggravated menacing, criminal damaging or endangering, menacing, criminal mischief or telephone harassment when committed because of the victim’s race, religion, gender, sexual orientation, ethnicity, national origin, age, disability, Vietnam-era or disabled veteran status, or the victim’s desire to live or travel in any neighborhood. Violation of this law is an offense of the next higher degree than the offense, one of those mentioned above, that was committed.

Q: Where can I park my car?

A: YOU CANNOT PARK CARS ANYWHERE ON YOUR LAWN (FRONTYARD OR BACKYARD). YOU MAY NOT PARK CARS IN YOUR DRIVEWAY IF THEY INTERFERE WITH PEDESTRIAN TRAFFIC ON THE SIDEWALK. Cars should be parked in your garage at night. If you have more cars than garage space, you may park them in the driveway, close to the garage. If your residential area allows street parking, you may not park a car within 3 feet of a driveway. Codified Ordinance Section 351.03.

Q: What is an abandoned vehicle?

A: A car that is 3 years old or older, damaged, inoperable and has a fair market value of \$200 or less, that is left on a public street or on the private property of another without permission, for more than 48 hours, is an “abandoned junk motor vehicle” and will be removed by the Chief of Police. Codified Ordinance Section 355.04.

Q: When can I park a car on the street?

A: NO CAR MAY BE PARKED ON THE STREET FOR MORE THAN 24 CONSECUTIVE HOURS FOR ANY REASON. Codified Ordinance Section 51.15(a). In commercial districts, look for signs or marked parking areas. In residential areas where street parking is permitted during the day, you may not park cars on the street between the hours of 3:00 a.m. and 6:00 a.m. Exceptions include: physicians, priests/ministers/rabbis on emergency calls or if you have a parking permit from the Police Department.

Q: How do I obtain a parking permit?

A: Call the Police Department at 216-475-6607 and ask to speak to the Traffic Safety Officer. A permit will be issued to you ONLY if in the opinion of the Police Department such issuance would be reasonably necessary for the health, safety and welfare of the applicant. The cost is \$15.00 and the permit must be displayed in the lower corner of the windshield on the driver’s side.

Q: I own a commercial vehicle—where should I park it?

A: You CANNOT park tow trucks, dump trucks, etc., in your drive or yard. Likewise, commercial vehicles CANNOT be parked on any street in residential areas at any time, unless the operator is rendering a service to a resident in the area. You may park a panel or pickup truck, having a gross vehicle weight of less than 4000 pounds, that you use in connection with your livelihood, inside a garage during the hours it is not in use. You may NOT drive the vehicle over your neighbor’s lawn, and it must not make loud noises during the late evening or early morning hours. You may NOT park a school bus, commercial tractor, truck, panel truck, jeep-type truck, bus trailer, semi-trailer, pole trailer or moving van on any street between 1 hour after sunset and 1 hour before sunrise. Codified Ordinance Sections 1143.01 (c) (5) & 351.14.

Q: Can I park on the street to load/unload?

A: Vehicles may be parked on the street for 3 minutes to pick up or drop off passengers, or 30 minutes for the loading and unloading of goods. The operator of the vehicle must be available, and the vehicle must not be in violation of other parking laws. Codified Ordinance Section 351.09.

Q: What about parking during a snow emergency?

A: When more than 2 inches of snow falls in the City during any 24 hour period, PARKING ON ALL CITY STREETS IS PROHIBITED.

Q: I have a vehicle without current registration and license plates-where should I park the vehicle?

A: In your garage. Parking such a vehicle in any other area subjects you to criminal penalties under Codified Ordinance Section 351.19(b). The vehicle may be towed and impounded.

Q: My car leaks oil/fuel, do I have to clean it up?

A: Yes. If your vehicle leaks oil or fuel on the street, you must clean it up.

Q: Where can I park a recreational vehicle, such as a boat or trailer?

A: You **CANNOT** park a recreational vehicle in your driveway or in the street. If the vehicle is more than 27 feet long, you cannot have it at your residence. If the vehicle is less than 27 feet, you can park it in the most remote part of your yard, not closer than 3 feet to your neighbor's yard. You may not hook up water or electricity to a recreational vehicle. You may park it anywhere on the premises for up to 48 hours for the purpose of loading or unloading. It may not in any way obstruct the entrance to your garage if parked more than 48 hours. Recreational vehicles must be kept in good repair and must have current license plates and registration. Codified Ordinance Section 357.02.

## PETS

Q: May I let my animals (dog, cat, other) run loose?

A: No. An animal is not permitted to run at large in a public area or upon the premises of someone other than the owner or the keeper. Any animals walked for exercise must be securely leashed. Animals may run loose in your yard, although a fence is recommended to prevent accidental violations of this law. Codified Ordinance Section 505.01.

Q: Do I have to register my dog?

A: Yes. You are required to register any dog older than 3 months with the County Auditor. If the dog doesn't have its tags, it can be impounded. Codified Ordinance Section 505.03.

Q: How many dogs am I allowed to own?

A: Not more than 2 dogs may be kept in any residence, except puppies under 3 months old. This includes the whole yard and any outbuildings. Violation of this law is a misdemeanor of the fourth degree. Codified Ordinance Section 505.18.

Q: Am I required to clean up after my animal while walking it?

A: Yes. The City has a curbing requirement, and you are required to clean up after your animal on any private or public property. Violation of this law is a misdemeanor of the fourth degree. Codified Ordinance Section 505.20.

Q: My neighbor has a barking dog, what should I do?

A: Call the Police Department at 216-475-6607 and ask to speak to the Dog Warden. Try to call while the dog is barking, so the Dog Warden can leave a citation. Any person who harbors a dog that is frequently and habitually barking and disturbing the peace, violates the law, and will be found guilty of a minor misdemeanor if such a violation is proven. Codified Ordinance Section 505.09.

Q: I have an exotic pet with a venomous or potentially fatal bite—what do I need to do to keep it legally?

A: You must observe the following procedures:

- Notify Marymount Hospital so that they have anti-venom serum.
- You must pay the hospital for the cost involved in procuring the serum.
- Notify the health authorities and Police Department.
- Post a \$5,000 bond with a surety company to cover the cost of injuries or damages. Codified Ordinance Section 505.14.

## CURFEW

Q: I have children under 18—what are the curfew laws in Garfield Heights?

A: Curfew laws vary with the age of the child and the situation.

- Minors may not be upon any streets or sidewalks or in a public place (restaurant, bowling alley, shop, theater, store, pool hall, shopping center, and any other place devoted to the amusement or entertainment of the general public) unless accompanied by a relative over 18, a guardian, or some other responsible person over 21 years of age.
- If the minor is attending or actively participating in a school, church, or city-wide event, then the curfew for such a minor shall be extended to one-half hour after the termination of such event.

### **THE NEW CURFEW HOURS BY AGE ARE:**

Under 12	9:00 p.m. - dawn
13-14	9:30 p.m. – 6:00 a.m.
15-16	11:00 p.m. – 6:00 a.m.
17	12 midnight – 6:00 a.m.

You are free to set curfew hours within your own household, so long as they include the restrictions above. If your child is found by a police officer to be in violation of the curfew laws, the child will be returned to your residence, these laws will be explained to you and the child, and the police officer may issue citations for the violation. The citation for the parent/guardian and minor is a fourth degree misdemeanor with a maximum penalty of 30 days in jail and a \$250 fine. The penalty for a subsequent violation is a first degree misdemeanor punishable by up to 180 days in jail and a \$1,000 fine. Codified Ordinance Section 531.04.

Q: Is there a daytime curfew?

A: Yes. During any school day, all children between the ages of 6 and 17, inclusive (other than a child who has been expelled from school) shall not be in any place in the City of Garfield Heights between the hours of 9:00 a.m.–2:00 p.m. except in attendance at school, unless that child has written proof from school authorities excusing him or her from attending. The penalty to the child violating this law is a fourth degree misdemeanor. For the parent or guardian, a first offense is a minor misdemeanor, a second offense is a fourth degree misdemeanor, and a third or subsequent offense is a first degree misdemeanor. Codified Ordinance Section 531.05.

### PLAYING IN THE STREET

Q: Are children allowed to play in the streets or use their roller blades or skate boards in the streets?

A: **ABSOLUTELY NOT.** It is not safe and it is against the law. Codified Ordinance Section 311.03 states that no person while on roller skates, skate board, sled, toy vehicle, or any other similar device shall go upon any roadway except while crossing a street on a crosswalk.

Q: Does the City allow the operation of toy vehicles in the street?

A: No. It is against the law to operate toy vehicles such as: electric razor scooters, mopeds, toy cars/trucks, etc., on City streets. Codified Ordinance Section 311.03

### MINORS & PARENTAL RESPONSIBILITY

Q: Am I liable for the criminal conduct of my child while he/she is at school?

A: Yes. No child between the ages of 6 and 17, inclusive, while in attendance at school, at a school event, or on school property, shall knowingly commit an unruly crime or engage in unruly criminal conduct against an official or employee of the Garfield Heights School District, an employee of the City of Garfield Heights while in performance of his/her duties, against another student, or the property of the Garfield Heights School District. Parents and guardians have a duty to prohibit the child from engaging in unruly criminal conduct. The crimes included in this law include only theft, assault, trespass, possession of alcohol/tobacco/drugs, aggravated menacing, menacing, disorderly conduct, weapons offenses, criminal damage, criminal mischief, arson, or sex offenses. Any child in violation of this law is subject to the jurisdiction of Cuyahoga County Juvenile Court, and a parent of such a child, in violation of this law, is guilty of a misdemeanor of the first degree. Codified Ordinance Section 531.051.

Q: Is a parent liable for crimes committed by their children outside of school?

A: Yes, under the law, **A PARENT COMMITS THE OFFENSE OF FAILING TO SUPERVISE A MINOR** if the person is the parent, legal guardian, or person with legal responsibility for the safety and welfare of a child under 18 who commits a status offense, unruly act or a delinquent act that would be a misdemeanor or felony of any degree if committed by an adult. The first offense is a minor misdemeanor, the second offense is a fourth degree misdemeanor, and the third and subsequent offenses are a first degree misdemeanor. Codified Ordinance Section 531.06.

### SIGNS

Q: Can I place a sign in my yard?

A: **YES. ONLY ONE (1) SIGN IS ALLOWED:**

- 1 real estate sign (for sale, for rent, open house) is permitted.
- Other signs (religious, holiday) are permitted, but also limited to 1.
- The sign must be removed within 48 hours of the end of the occasion it was erected for.
- Political signs: 30 days prior to Election Day, you may place a sign of a political nature in your yard; such sign must be removed within 72 hours after the election for which it was placed.
- The sign cannot be larger than 6 square feet. Codified Ordinance Section 1140.36.

Q: Can I place signs on public property?

A: **NO.** The City will remove the signs. You cannot post any advertisement or sign of any kind or description, including garage sale signs, upon any piece of public property including but not limited to telephone poles, electric poles, street signs, sidewalks, bus shelters and buildings. Codified Ordinance Sections 503.03-04.

## NOISE

Q: What are the noise laws?

A: It depends on the situation:

- No frequent or continuous animal/bird/vehicle noise that can cross a residential property boundary.
- Mufflers on vehicles must be in good working order.
- Racing the motor, peeling the tires, or causing a vehicle to chatter or backfire is prohibited.
- Burglar, fire and motor vehicle alarms shall be set to automatically terminate after 2 minutes, or the owner or trustee of the house or vehicle may be cited.
- Loading/unloading is prohibited between 9:00 p.m. and 7:30 a.m. Monday through Saturday and between 8:00 p.m. and 10:00 a.m. on Sunday.
- Loudspeakers/PA systems must not cause a disturbance that crosses residential property boundaries between 9:00 p.m. and 8:00 a.m. Mobile loudspeakers are exempt if the resident has a permit.
- Domestic power tools may not be operated between 9:00 p.m. and 8:00 a.m. Monday through Saturday, and between 8:00 p.m. and 10:00 a.m. on Sunday. Codified Ordinance Sections 505.09 & 535.03-535.14.

## LOITERING

Q: Are people permitted to congregate outside of my business to harass/annoy my customers?

A: No. You cannot congregate with another person on public grounds, with the intent to provoke a breach of the peace. A person having no occupation or business at the places hereinafter named, shall not stand upon or occupy the sidewalks/corners of any street of the City or occupy the sidewalk in front of any dwelling, place of business, place of worship or amusement, that obstructs, impedes or interferes with the free passage of pedestrians. Any person or persons so standing shall move on immediately after a request to do so has been made by a police officer. Violation of this Ordinance is a misdemeanor of the fourth degree. Codified Ordinance Section 509.12.

## RUBBISH COLLECTION & LITTER

Q: How often does the City pick-up rubbish?

A: RESIDENTIAL rubbish is picked-up weekly. Be considerate of your neighbors and follow these rules:

- DO NOT PUT RUBBISH ON THE TREELAWN BEFORE 6:00 P.M. ON THE EVENING IMMEDIATELY PRECEDING THE DAY FOR REFUSE COLLECTION.
- You must remove the waste containers from the front yard within 12 hours of collection by the City.
- Secure or tie the container/bag, you are responsible to pick-up any waste that blows out of your waste container/bag or was disturbed by an animal.
- Waste containers or waste/refuse not in containers shall be placed in the REAR of all houses or other buildings.
- The City will NOT pick-up COMMERCIAL rubbish. If you have rubbish from a construction project or because you're moving out, you MUST use a dumpster.
- A violation of this law may result in a minor misdemeanor citation and **fine of up to \$150**. Codified Ordinance Sections 913.04-913.99.

Q: I've seen people scavenging through resident's rubbish, is this allowed?

A: No. No one is permitted to remove or take rubbish/recyclables deposited on the tree lawn for collection by the City. Codified Ordinance Sections 759.01 & 759.99. A violation of this law is a misdemeanor of the fourth degree.

Q: People often throw trash and other paper items on the ground. What can I do about it?

Littering in our community is a serious problem. Section 527.02 of the Codified Ordinances reads, "No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the City except in public receptacles, in authorized private receptacles for collection, or in official City dumps." Violation of this ordinance is a misdemeanor of the fourth degree.

## PROPERTY MAINTENANCE

Q: Can I sweep grass, lawn clippings or leaves into the street?

A: No. These materials are defined as rubbish, and sweeping them into the streets is considered littering. Codified Ordinance Section 527.04.

Q: Where can I shovel my snow?

A: IT IS AGAINST THE LAW TO SHOVEL YOUR SNOW INTO THE STREET. The best place to shovel your snow is on your tree lawn. Do not shovel snow against your neighbor's foundation. Codified Ordinance Section 351.17.

Q: Does the City require me to maintain and repair my house and property?

A: Yes. The City of Garfield Heights has an exterior maintenance code. Building inspectors inspect all buildings and houses to ensure that they are up to code. If a violation is found, you will be cited. Failure to correct violations is treated as a criminal case, and is a misdemeanor of the first degree, carrying a maximum penalty of 180 days in jail and a \$1,000 fine.

Q: Does the City inspect rental property?

A: Yes. The Building Department requires the inspection of rental property. Contact the Building Department at 216-475-3835 to register the property and to schedule an inspection.

Q: Do I need a building permit?

A: It depends on the type of work you're having done. You should call the Building Department before the project starts to find out if a permit is required. Contact the Building Department at 216-475-3835 during business hours.

Q: Can I trim my neighbor's overhanging trees/bushes?

A: You may trim any part of your neighbor's trees or bushes that overhangs into your property. You will be liable to your neighbor if trimming results in the death of the tree or bush. Debris that falls into your yard from a tree belonging to your neighbors is your responsibility to clean-up. Codified Ordinance Section 541.06.

Q: Does the City require me to cut my grass?

A: Yes. Lawns, hedges and bushes must be kept neatly trimmed and kept from becoming overgrown. Also, bushes and trees must not overhang on the sidewalk. If the homeowner fails to comply, the City will cut the grass and will **bill the homeowner at the rate of \$100 per hour with a minimum charge of 2 hours.** THIS WILL BE BILLED AS A SPECIAL ASSESSMENT on the next tax cycle. Failure to maintain your property is a criminal offense for which you may be prosecuted. Codified Ordinance Section 551.05.

### **SAFETY—STREETS & SIDEWALKS**

Q: Where are pedestrians allowed to walk?

A: Pedestrians are required to walk only on sidewalks, when they are provided, and where their use is practicable. No pedestrian is allowed to walk along and upon an adjacent roadway. Jaywalking is prohibited. Codified Ordinance Sections 371.03-371.05.

Q: Do I have to maintain the sidewalk?

A: Yes. Every owner/occupant of property shall keep the sidewalk free from snow, ice, slush, dirt, mud and any other foreign substance. Whoever violates this law is guilty of a misdemeanor of the fourth degree, and may be held civilly liable for any bodily injury or property damage resulting from such violation. Codified Ordinance Section 521.06. Homeowners are responsible to repair or replace the sidewalk.

Q: Where can I put a portable basketball hoop?

A: PORTABLE BASKETBALL HOOPS OR SIMILAR EQUIPMENT MAY ONLY BE PLACED ON PRIVATE DRIVEWAYS OR IN THE BACKYARD. They may not be placed on public streets or tree lawns. Violation of this law is a misdemeanor of the first degree and the equipment will be confiscated by the Police Department. Codified Ordinance Section 311.07.

### **GRILLS & BONFIRES**

Q: Am I allowed to have a bonfire in my yard?

A: No. No one is allowed to maintain any bonfire, rubbish fire or field fire. Codified Ordinance Section 1505.28(a).

Q: I live in an apartment building, am I allowed to have a grill on my porch/balcony?

A: No. You cannot have a fire in any type of grill in or on any apartment house balcony or within 15 feet of any structure housing more than 1 family. Codified Ordinance Section 1505.28(b).

### **GARAGE SALES**

Q: Am I permitted to hold a garage sale on my property?

A: Yes. There are some restrictions. A permit is required for any yard/porch/garage sale. Contact the Building Department at 216-475-3835. These types of sales may only be conducted between 10:00 a.m. and 7:00 p.m. You may only place 1 sign advertising the sale, and such sign may not be larger than four and a half square feet, and placed only in your yard. You cannot put a sign on anyone else's property.