

AMENDED ORDINANCE NO. 2019-44

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AMENDING OAKWOOD CODIFIED ORDINANCE 140.07 TO REMOVE LIMITATIONS ON USE OF THE VILLAGE'S RECREATIONAL FACILITIES AND DECLARING AN EMERGENCY**

**WHEREAS**, Oakwood Codified Ordinance 140.07 as presently written limits use of the Village's recreational facilities to Village residents; and,

**WHEREAS**, said limitation potentially places the Village at certain legal disadvantages and potentially places the Village in violation of certain grant requirements,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga , and State of Ohio that:

SECTION 1: That Oakwood Codified Ordinance 140.07, which presently reads as follows:

**140.07 LIMITATION OF ACCESS TO RECREATIONAL FACILITIES.**

(a) The use of all recreational facilities, including but not limited to, parks, playgrounds, basketball courts, picnic areas, etc., shall be limited to residents of the Village of Oakwood. Rentals and reserved uses of any of these facilities shall be limited to Oakwood residents only, however, these rentals and reserved uses may include non-residents under the direct supervision of the Oakwood resident renting or reserving such facility.

(b) Upon the recommendation of the Recreation Director and/or Recreation Commission, the Safety Director shall promulgate hours of operation for the various recreational facilities owned by the Village of Oakwood. Upon the issuance of such hours of operation, the Service Director shall cause to be made appropriate signage, in accordance with Ohio R.C. 2911.21 and Section [541.05](#), stating the hours of operation and any other restrictions on the use of such facilities.

be and hereby is amended to read as follows:

**140.07 ACCESS TO RECREATIONAL FACILITIES.**

(a) The use of all recreational facilities, including but not limited to, parks, playgrounds, picnic areas, etc., shall be open to the general public with the exception of basketball courts which shall continue to be reserved for the exclusive use of Village residents. Rentals and reserved uses of any of these facilities shall be at the discretion of the Recreation Director and/or Recreation Commission.

(b) Upon the recommendation of the Recreation Director and/or Recreation Commission, the Safety Director shall promulgate hours of operation for the various recreational facilities owned by the Village of Oakwood. Upon the issuance of such hours of operation, the Service Director shall cause to be made appropriate signage, in accordance with Ohio R.C. 2911.21 and Oakwood C.O. Section [541.05](#), stating the hours of operation and any other restrictions on the use

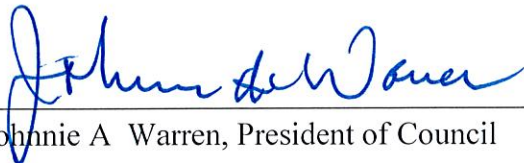
of such facilities.

(c) Violations of the hours of operation or other restrictions placed upon the use of these facilities as provided in this section, shall be punishable as provided in Ohio R.C. 2911.21 and/or Oakwood C.O. Section 541.05

SECTION 2: The existing version of Oakwood C.O. Section 140.07 be and hereby is repealed.

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the Village or Oakwood being that the foregoing amendments are necessary to assure the availability of certain legal protections for the Village and to assure that the Village abides by the conditions of certain grant requirements and therefore this Ordinance shall take effect and be in force immediately upon its adoption and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 30, 2019

  
Johnnie A Warren, President of Council

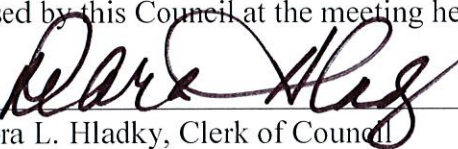
  
Deborah L. Hladky, Clerk of Council

Presented to the Mayor July 31, 2019

Approved: July 31, 2019

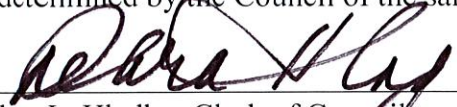
  
Mayor, Gary V. Gotschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2019 – 44 was duly and regularly passed by this Council at the meeting held on the 30 day of July, 2019.

  
Debra L. Hladky, Clerk of Council

**POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2019-44 was duly posted on the 31 day of July, 2019, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

  
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Debra L. Hladky, Clerk of Council

DATED: July 31, 2019