

**LIBERTY TOWNSHIP
HOME RULE RESOLUTION NO. 002
REGULATION OF SIDEWALK REPAIR AND MAINTENANCE**

The Board of Trustees of Liberty Township, Trumbull County, Ohio met in regular session at the Liberty Township Administration Building on the 20th day of April, 2009; with the following members present:

Trustee Stoyak, Trustee Simon and Trustee Litch;

Trustee Stoyak presented the following Resolution to the Board:

WHEREAS, R.C. 504.04(A) authorizes the Township to exercise powers of local self-government within the local police, sanitary, and other similar regulations and;

WHEREAS, R.C. 504.05 authorizes the Township to impose a civil fine up to \$1,000 for a violation of a resolution adopted pursuant to R.C. 504.04 et seq., and;

WHEREAS, the Township has an obligation to provide for the general safety, health and welfare of its residents and property, including the repair and maintenance and unobstructed use of public sidewalks within the township;

NOW THEREFORE BE IT RESOLVED that the following regulations for the repair and maintenance of public sidewalks within the unincorporated area of the Liberty Township be and hereby are adopted, pursuant to the authority of the limited self-government of townships (Chapter 504 Ohio Revised Code) and approved upon First and Second readings and Publication and Codification.

SECTION 1: REPAIR AND MAINTENANCE OF SIDE WALKS

No owner or leaseholder of real property abutting, adjacent to, or upon which any public sidewalk exists, shall fail to keep the sidewalks in good and safe repair, and free from defect, hazard or nuisance, including but not limited to cracking, upheaval, the removal of snow, ice or any obstruction or nuisance.

SECTION 2: REMOVAL OF SNOW; ICE

- A. Said Owner or leaseholder shall remove from such sidewalks all snow and ice accumulated thereon within a reasonable time, not to exceed twenty-four (24) hours after the occurrence

of after any storm or snowfall during which the snow or ice has accumulated.

- B. No person shall shovel, push or pile snow on the sidewalks, and/or streets in a manner that causes or creates barriers of snow and/or ice impeding passage of pedestrians or vehicular traffic on or across sidewalks, public roads or thoroughfares.

SECTION 3: REMOVAL OF OBSTRUCTION; NUISANCE

No person shall obstruct any sidewalk by placing on, or failing to remove from the side walk abutting their property, or between the side walk and the roadway, any property, object, article, substance or condition which impedes pedestrian and vehicular traffic or creates a nuisance, including but not limited to tree limbs, landscaping debris, garbage, refuse, excessive vegetation growth or noxious weeds.

SECTION 4: PENALTIES

Whoever violates this resolution is subject to the following civil fines:

- a) First Offense \$ 50.00
- b) Second Offense \$ 100.00
- c) Third Offense \$ 250.00
- d) Fourth and subsequent offenses \$ 500.00

SECTION 5: EFFECTIVE DATE OF RESOLUTION

This resolution shall be in full force effect 30 days from its date of adoption upon a first and second reading and publication thereof.

First Reading Township Resolution No. 09-67: 3/16/08

Moved by Trustee Stoyak and seconded by Trustee Simon.

The Roll Call resulted as follows:

	A YE	N AY
Mr Simon	__X__	_____
Ms. Stoyak	__X__	_____
Mr. Litch	__X__	_____

Second Reading Township Resolution No.09-79: 4/20/09

Moved by Trustee Stoyak and seconded by Trustee Simon.

The Roll Call resulted as follows:

	AYE	NAY
Mr Simon	<u> X </u>	<u> </u>
Ms. Stoyak	<u> X </u>	<u> </u>
Mr. Litch	<u> X </u>	<u> </u>

Liberty Township Resolution adopting Home Rule Resolution No. 003 is adopted upon second reading this 20th day of April, 2009.

Effective Date: May 21, 2009

Prepared and approved as to form:



Mark S. Finamore
Township Law Director

CERTIFICATION

I, John Fusco, Fiscal Officer of Liberty Township do hereby certify that the foregoing resolution is a true and accurate copy of the same as appears in the minutes of the official proceedings of the Board of Trustees of Liberty Township and the same was published and codified in accordance with Chapter 504 of the Ohio Revised Code.

Date: 4/20/09



John Fusco, Fiscal Officer