

ORDINANCE NO. 2023 – 15

**AN ORDINANCE ESTABLISHING AND ENACTING SECTION 648.17 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, ENTITLED, “DOMESTIC POWER TOOLS” TO PROVIDE FOR A NEW SECTION OF THE “PEACE DISTURBANCES” CHAPTER OF THE GENERAL OFFENSES CODE, AND DECLARING AN EMERGENCY, AS AMENDED.**

**WHEREAS**, current code regulations do not restrict the hours of operation that domestic power tools can be used within the City of Parma Heights. The noise of domestic power tools, including, but not limited to, lawn mowers jeopardize the peaceful enjoyment of residents; and

**WHEREAS**, Chapter 648 of the Codified Ordinances governs various peace disturbances; and

**WHEREAS**, it is the desire of this Administration and Council to establish and enact regulations of domestic power tools under Section 648.17 of the Codified Ordinances in order to protect the health, safety, and welfare of the City of Parma Heights and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1. This Council does hereby establish and enact Section 648.17, entitled, “Domestic Power Tools” of the General Offenses Code, which reads in its entirety as set forth in “Exhibit A” and which is attached to this Ordinance and incorporated by reference as if fully rewritten herein.

Section 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to regulate peace disturbances within the Municipality; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: April 10, 2023

Thomas Rounds  
PRESIDENT OF COUNCIL

ATTEST: Barbara Allen  
CLERK OF COUNCIL

April 10, 2023  
APPROVED

FILED WITH  
THE MAYOR: April 10, 2023

Marie Gallo  
MAYOR MARIE GALLO

## EXHIBIT A

### 648.17 DOMESTIC POWER TOOLS.

- (a) No person shall operate or permit the operation of any domestic power tools used outdoors in residential areas between the hours of 9:00 P.M. and 7:00 A.M. the following day so as to cause a noise disturbance across a residential real property boundary; powered snow removal equipment is included except during a snow emergency within the City.
- (b) No person shall operate or permit the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary or in a public space between the hours of 9:00 P.M. and 7:00 A.M. the following day.
- (c) During the **permitted period of operation** ~~restricted hours~~, maximum sound levels in a residential area shall not exceed eighty (80) dBA measured at a distance of fifty feet from any point on the path of the vehicle or other noise source. Further, maximum sound levels shall not exceed reasonable standards utilizing any means of detection set forth in Section 648.16 of these Codified Ordinances.
- (d) Whoever violates any provisions of this section is guilty of a minor misdemeanor, unless the violation is made willfully and knowingly, in which case the offender is guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- (e) For the purposes of this section, "Domestic power tools" means power tools or equipment used for home or building repair, maintenance, alteration, or other home manual arts projects, including but not limited to powered hand tools, lawn mowers, garden equipment, and commercial grade tools.