

ORDINANCE NO. 114-26

AN ORDINANCE REPEALING THE EXISTING CHAPTER 905 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO AND REPLACING IT WITH A NEW CHAPTER 905 ENTITLED "SIDEWALKS, CURBS AND GUTTERS" AND DECLARING AN EMERGENCY.

WHEREAS: Chapter 905 of the codified ordinances of the City of Medina, Ohio relative to Sidewalks, Curbs and Gutters presently reads as shown in Exhibit A, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

- SEC. 1:** That the existing Chapter 905 of the codified ordinances of the City of Medina, Ohio relative to Sidewalks, Curbs and Gutters is hereby repealed and replaced in its entirety by a new Chapter 905 entitled "Sidewalks, Curbs and Gutters."
- SEC. 2:** That a copy of the new Chapter 905 entitled "Sidewalks, Curbs and Gutters" is marked Exhibit B, attached hereto and incorporated herein.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to begin the program as soon as possible; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: July 13, 2026

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: July 13, 2026

SIGNED: James A. Shields
Mayor

Effective date – August 12, 2026

CURRENT

ORD 135-13
Aug 26, 2013
Exh. A

CHAPTER 905 Sidewalks, Curbs and Gutters

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|---|---|
| 905.01 Sidewalks and Driveways – Duty to Maintain. | 905.08 Criteria for Sidewalk Inspections. |
| 905.02 Sidewalk Defects Caused by the
City of Medina | 905.09 Sidewalk Repair. |
| 905.03 Building Inspections. | 905.10 Snow Removal Regulations. |
| 905.04 Specifications. | 905.11 Registration for Snow Removal. |
| 905.05 Establishment of Grades. | 905.12 Exceptions. |
| 905.06 Sidewalk Specifications. | 905.13 Penalty. |
| 905.07 Annual Sidewalk Inspections. | 905.14 Prosecution of Violation. |

CROSS REFERENCES

Construction or repair at owner's expense – See Ohio Rev. Code § 729.01 et seq.
Notice to construct or repair sidewalks – See Ohio Rev. Code § 729.03 et seq.
Sidewalk obstructions; damage or injury – See GEN. OFF. 521.04
Curb cut permits and fees – See S.U. & P.S. 901.01 et seq.
Sidewalk specifications – See BLDG. 1337.01

905.01 SIDEWALKS AND DRIVEWAYS – DUTY TO MAINTAIN.

Property owners shall maintain all sidewalks, walkways, stairways, driveways, parking areas, and other similar areas in a proper state of repair free of hazardous defect and free of hazardous condition. The criterion as required by the Medina City Engineer and the Codified Ordinance of Sections 905.01 through 905.14 of the City of Medina shall apply. The owners and occupiers of abutting lots and lands shall keep the sidewalks in repair and free from snow or any nuisance. A separate offense shall be deemed committed each day during which a violation continues or occurs.

905.02 SIDEWALK DEFECTS CAUSED BY THE CITY OF MEDINA

Property owners shall not be responsible financially for replacement or repair of sidewalks that are deemed to be hazardous or defective as a result of trees or utilities that are owned and/or maintained by the City of Medina. The City Engineer shall determine whether or not a sidewalk defect is proximately caused by a tree or utility owned and maintained by the City of Medina.

905.03 BUILDING INSPECTIONS.

No person shall construct or repair a sidewalk or a driveway across a sidewalk without first contacting and coordinating with the Medina City Engineer. The construction and repair of all sidewalks shall be done under the supervision of the Medina City Engineer.

905.04 SPECIFICATIONS.

Specifications for the construction or repair of sidewalks must be strictly adhered to by the person constructing or repairing. Copies of the specifications are available at the office of the Medina City Engineer.

905.05 **ESTABLISHMENT OF GRADES.**

The grade for all sidewalks shall be established by the Medina City Engineer to insure that the grade will be in conformity with the topography of the adjacent land, allow proper drainage of surface water, and allow the construction of sewers at reasonable depths. The City Engineer shall have discretion to address any other issues that must be remedied.

905.06 **SIDEWALK SPECIFICATIONS.**

(1) Width and depth. All sidewalks shall be a minimum width of four feet, a minimum depth of four inches, and of such line and grade as determined by the City Engineer.

(2) Materials. All sidewalks shall be constructed of Class "C" concrete and shall be proportioned as follows:

Air Entrainment	5% to 7%
Maximum water to cement ratio	0.45
Minimum compressive strength, pounds per square inch at twenty-eight days	4,000

(3) If it is unreasonable to construct a four foot width sidewalk by reason of the pre-existing surrounding sidewalk; than the new sidewalk may be constructed to match pre-existing sidewalk in the discretion of the City Engineer.

905.07 **ANNUAL SIDEWALK INSPECTIONS.**

An inspection of the sidewalks within areas of City as determined by the City Engineer shall be conducted by the Engineering Department once each calendar year at a time designated by the Department to facilitate compliance with standards for sidewalk maintenance and repair required in the Codified Ordinances. The results of each annual sidewalk inspection shall be put into a written report and a copy of the same shall be placed on file with the City Engineer and the Clerk of Council for review and further action by Council. Each property owner shall be notified of any defective or condemned portion of sidewalk, if any, and the requirement to repair the same.

905.08 **CRITERIA FOR SIDEWALK INSPECTIONS.**

The inspection of the sidewalks within the City as required by Section 905.06 shall be conducted based on the following criteria for condemning sidewalks or portions thereof:

- (a) Height differential between portions of sidewalk two inches or more.
- (b) Multiple cracks in block creating three or more distinct pieces. (Block is scored area, usually five feet by five feet.)
- (c) Abrupt dip or raised area in walk being two and three quarter inches or more from a straight line grade within a ten foot distance.
- (d) Spalled or scaled surface over fifty percent (50%) or more of surface area.
- (e) Gaps or missing areas in walk exceeding one and one-half inch wide crack.
- (f) Loose, rocking, or missing sidewalk areas.

- (g) Blocks having reverse cross slopes sloping away from street or sloped reverse from intended slope and causing impounding of mud or water.
- (h) Too severe a slope, exceeding three-fourths inch vertical in a one foot horizontal area.
- (i) Surface too smooth, surface slippery when wet and/or dry, such as a smooth steel plate, or smooth steel troweled concrete.
- (j) Obstructions in sidewalk areas such as stumps, stones, private sign posts, or any unauthorized obstruction in the sidewalk area.
- (k) Water, gas, or other valve boxes, etc., that are not to proper grade.
- (l) Defective columns, supporting walls or slab for support of slab, or slab over sub-space or other "bridged" open area.

905.09 SIDEWALK REPAIR.

Each year the City Engineer shall secure the services of a concrete contractor to facilitate sidewalk repair on a citywide basis so that a property owner may contract with that concrete contractor for sidewalk construction or repair, and thereby receive the expected benefit of a less expensive charge for the cost of the sidewalk construction or repair.

905.10 SNOW REMOVAL REGULATIONS.

The regulations regarding the removal of snow from private property and dedicated rights of way shall be as follows:

- (a) No contractor, private snow removal firm, or other person shall push, shovel, blow snow from private property onto or across any dedicated right of way in the City.
- (b) No snow, removed from sidewalks or drive approaches on the dedicated right of way, shall be deposited so as to obstruct the view from the street within twelve feet of a street intersection or any drive approach, nor be pushed, shoveled, or blown onto or across the dedicated street.
- (c) Snow removed from private property shall be deposited on private property.
- (d) No fire hydrant shall be covered or obstructed with snow.
- (e) Snow removed from private property shall not be deposited in such a way as to obstruct City sidewalks.

905.11 REGISTRATION FOR SNOW REMOVAL.

- (a) Any person, firm, or corporation moving snow on private property for profit as permitted by this chapter shall register at the office of the Service Director, City of Medina, Ohio, and obtain an annual permit.
- (b) A Ten Dollar (\$10) annual fee for each vehicle is required at the time of registration.
- (c) A certificate of insurance must accompany each registration. (Ord. 92-99. Passed 4-26-99.)

905.12 **EXCEPTIONS.**

The provisions of this chapter shall be subject to the same exceptions as provided in Sections 901.06 and 901.07. (Ord. 3-78. Passed 1-3-78.)

905.13 **PENALTY.**

Any person violating any provision of this chapter is guilty of a misdemeanor of the first degree.

905.14 **PROSECUTION OF VIOLATION.**

Any person failing to comply with a notice of violation or order served by the City Engineer shall be deemed guilty of a first degree misdemeanor. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

CHAPTER 905

Sidewalks, Curbs and Gutters

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| 905.01 Sidewalks – Duty to Maintain. | |
| 905.011 Driveways – Duty to Maintain | 905.08 Criteria for Sidewalk Inspections. |
| 905.02 Sidewalks – Duty to Repair | 905.09 Sidewalk Repair. |
| 905.021 Sidewalks – Sidewalk Website Page | |
| 905.022 Private Sidewalks – Duty to Maintain | 905.10 Snow Removal Regulations. |
| 905.03 Building Inspections. | 905.11 Registration for Snow Removal. |
| 905.04 Specifications. | 905.12 Exceptions. |
| 905.05 Establishment of Grades. | 905.13 Penalty. |
| 905.06 Sidewalk Specifications. | 905.14 Prosecution of Violation. |
| 905.07 Annual Sidewalk Inspections. | |

905.01 SIDEWALKS - DUTY TO MAINTAIN.

Property owners shall keep the sidewalks abutting their property free from snow, ice, or any nuisance. A separate offense shall be deemed committed each day during which a violation continues or occurs.

905.011 DRIVEWAYS - DUTY TO MAINTAIN

Property owners shall maintain all walkways, stairways, driveways, parking areas, and other similar surfaces in a proper state of repair, free from hazardous defects and free of hazardous conditions. The criterion as required by the City of Medina shall apply. A separate offense shall be deemed committed each day during which a violation continues or occurs.

905.02 SIDEWALKS – DUTY TO REPAIR

The City of Medina shall be responsible for the repair of sidewalks within the City. The City of Medina shall create each calendar year a Safe Sidewalk Program that includes both sidewalk replacement and sidewalk shaving in various locations. The City shall determine sidewalk shaving or replacement based on field condition surveys. Sidewalk shaving shall occur if height differential between portions of sidewalks are one (1) inch or less, unless otherwise determined by the City of Medina. Sidewalks greater than one (1) inch or containing more than three (3) fractures shall be replaced, unless otherwise determined by the City of Medina. Residents shall be notified if their sidewalks are being improved as part of that year's Safe Sidewalk Program.

905.021 SIDEWALKS – SIDEWALK WEBSITE PAGE

The City of Medina shall establish an interactive website page on the City's Website that enables residents to report sidewalk issues. Once a sidewalk issue has been reported by a City resident involving a sidewalk in front of the persons home reporting the sidewalk issue, the City shall have two (2) years to address the concern.

905.022 PRIVATE SIDEWALKS – DUTY TO MAINTAIN

Private sidewalks are walkways located entirely on private property meant to circulate pedestrian traffic safely within a development or connect a private property to the public right-of-way.

Property owners abutting private sidewalks shall maintain said private sidewalks in a proper state of repair, free of snow, ice, nuisance, and hazardous conditions.

905.03 BUILDING INSPECTIONS.

No person shall construct or repair a sidewalk or a driveway across a sidewalk without first contacting and coordinating with the Medina City Engineer. The construction and repair of all sidewalks shall be done under the supervision of the Medina City Engineer.

905.04 SPECIFICATIONS.

Specifications for the construction or repair of sidewalks must be strictly adhered to by the person constructing or repairing. Copies of the specifications are available at the office of the Medina City Engineer.

905.05 ESTABLISHMENT OF GRADES.

The grade for all sidewalks shall be established by the Medina City Engineer to insure that the grade will be in conformity with the topography of the adjacent land, allow proper drainage of surface water, and allow the construction of sewers at reasonable depths. The City Engineer shall have discretion to address any other issues that must be remedied.

905.06 SIDEWALK SPECIFICATIONS.

- (a) Width and Depth. All sidewalks shall be a minimum width of four feet, a minimum depth of four inches, and of such line and grade as determined by the City Engineer.
- (b) Specifications for the construction or repair of sidewalks must be strictly adhered to by the person constructing or repairing. Copies of the specifications are available at the office of the Medina City Engineer.
- (c) If it is unreasonable to construct a four foot width sidewalk by reason of the pre-existing surrounding sidewalk; than the new sidewalk may be constructed to match pre-existing sidewalk in the discretion of the City Engineer.

905.07 ANNUAL SIDEWALK INSPECTIONS.

An inspection of the sidewalks within areas of the City as determined by the Service Director, subject to approval by Council, shall be conducted each calendar year at a time or times designated by the Service Director to facilitate compliance with standards for sidewalk maintenance and repair required in the Codified Ordinances. The results of each sidewalk inspection shall be put into a written report or multiple reports and a copy of the same shall be place on file with the Clerk of Council for review and further action by Council. Council shall determine an amount to be allocated towards the replacement of sidewalk each year.

905.08 CRITERIA FOR SIDEWALK INSPECTIONS.

The inspection of the sidewalks within the City as required by Section 905.07 shall be conducted based on the following criteria for condemning sidewalks or portions thereof:

- (a) Height differential between portions of sidewalk more than one (1) inch.
- (b) More than three (3) fractures in block creating distinct pieces.
- (c) Abrupt dip or raised area in sidewalk.
- (d) Loose, rocking or missing sidewalk areas.

- (e) Sidewalk blocks having severe slopes.
- (f) City owned tree roots causing slopes, cracking or heaving in the sidewalk

905.09 **SIDEWALK REPAIR.**

The Service Director shall secure the services of one or more concrete contractor(s) to shave/repair/replace sidewalks on a citywide basis.

905.10 **SNOW REMOVAL REGULATIONS.**

The regulations regarding the removal of snow from private property and dedicated rights of way shall be as follows:

- (a) No contractor, private snow removal firm, or other person shall push, shovel, blow snow from private property onto or across any dedicated right of way in the City.
- (b) No snow, removed from sidewalks or drive approaches on the dedicated right of way, shall be deposited so as to obstruct the view from the street within twelve feet of a street intersection or any drive approach, nor be pushed, shoveled, or blown onto or across the dedicated street.
- (c) Snow removed from private property shall be deposited on private property.
- (d) No fire hydrant shall be covered or obstructed with snow.
- (e) Snow removed from private property shall not be deposited in such a way as to obstruct City sidewalks.

905.11 **REGISTRATION FOR SNOW REMOVAL.**

- (a) Any person, firm, or corporation moving snow on private property for profit as permitted by this chapter shall register at the office of the Service Director, City of Medina, Ohio, and obtain an annual permit.
- (b) A Ten Dollar (\$10) annual fee for each vehicle is required at the time of registration.
- (c) A certificate of insurance must accompany each registration. (Ord. 92-99. Passed 4-26-99.)

905.12 **EXCEPTIONS.**

The provisions of this chapter shall be subject to the same exceptions as provided in Sections 901.06 and 901.07. (Ord. 3-78. Passed 1-3-78.)

905.13 **PENALTY.**

Any person violating any provision of this chapter is guilty of a misdemeanor of the first degree.

905.14 **PROSECUTION OF VIOLATION.**

Any person failing to comply with a notice of violation or order served by the City Engineer shall be deemed guilty of a first degree misdemeanor. If the notice of violation is not complied with,

the code official shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.