

TO: Mayor Brown and Members of Council
FROM: Rules & Law Committee – Susan Brownknight, Chair
Date: March 14, 2022

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The Rules and Law Committee met on March 7, 2022 at 4:30pm to discuss the following: The Employee Manual update process, Tree Advisory Board recommended changes to Ordinance No. O-20-21, Village of Mariemont Fencing Ordinances, Chapter 152 of the Mariemont Code of Ordinances Rental Dwellings and Units and the status of short-term rentals in areas not zoned for commercial use. Present were Village employees, John Scherpenberg, Chuck Barlow, and Joanee Van Pelt, Mayor Brown and Committee Chairperson Susan Brownknight, Committee Member Kelly Rankin and Committee Member Marcy Lewis.

The Employee Manual updating process requires no action from Council at this time as Department Heads will begin the process of making recommended updates starting the first week of May.

The Committee recommends that Council accept the recommendations of the Tree Board to update Ordinance No. O-20-21, Section 57.06 (b) (i) replacing “nine-person Village of Mariemont Tree Advisory Board” with “14-person Village of Mariemont Tree Advisory Board.” This change is being recommended to provide consistency throughout the document.

The Committee reviewed the following fencing ordinances, 151.101, 151.102, 151.103, 151.104, 151.105 151.106 and has the following recommendations:

- a. “Fence” must defined within the ordinances and decorative fences should be included in the definition of “fence”
- b. Materials of construction should include:
 - i. Powdered coated aluminum
- c. Chain link fences should not be permitted to line standard fences
- d. Ensure that all ordinances related to fences are consistent on current ordinances on chain link fences and pending ordinance related to electric/invisible fencing. The Committee recommends that Ed McTigue work with Zoning Officer Rod Holloway to identify all areas of inconsistency within the aforementioned ordinances.
- e. Update section 151.102 (B) to ensure that residents can put up a fence taller than four feet in a side yard/a privacy fence that abuts the neighbor. Please note that the language related to front yard fences does not change and will continue to read that they “shall be no more than four feet in height and at least 50% open.”
- f. Clarify 151.04 (7), which states, “no setback is required for fencing in any yard”. Currently, practice is that setbacks are required for fences 6ft or higher.

The Committee reviewed the provisions of Chapter 152 of the Mariemont Code and recommends to the Village to amend Section 152 of the Mariemont Code of Ordinances and update the timing of permit validity, inspection and permit response times and fees.

The Committee recommends that the Solicitor prepare the necessary legislation once recommendation is adopted.

Respectfully submitted,

Susan Brownknight, Chairperson

Kelly Rankin, Vice-Chair

Marcy Lewis, Member