

ORDINANCE NO.: 2022-01

FIRST READING JANUARY 10, 2022

INTRODUCED BY: GERALD CANTON

SECOND READING WAIVED

THIRD READING WAIVED

AN ORDINANCE REPEALING SECTION 262.01(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH RUSSELL, ADOPTING NEW SECTION 262.01(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to repeal Section 262.01(a) of the Codified Ordinances of the Village of South Russell to ensure consistency with the Ohio Revised Code as to the appointment of regular and alternate members to the Board of Zoning Appeals.

NOW, THEREFORE, be it ordained by the Council of the Village of South Russell that:

SECTION 1. Section 262.01(a) of the Codified Ordinances of South Russell Village is hereby repealed.

SECTION 2. Section 262.01(a) of the Codified Ordinances of South Russell Village is hereby adopted and shall read in its entirety as follows:

“(a) Appointment.

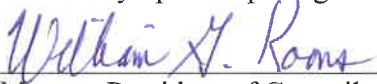
(1) There is hereby established a Board of Zoning Appeals which shall consist of five residents of the Village appointed by the Mayor and confirmed by Council. Vacancies shall be filled by the same procedure. The five electors first appointed shall serve for terms of four years. Each member shall serve until a successor is appointed and qualified. Members of the Board shall be removable for nonperformance of duty, misconduct in office or other cause, by Council, upon written charges having been filed with the Village Fiscal Officer and after public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten days prior to the hearing, either personally or by certified mail or by leaving the same at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges.

(2) The Mayor may appoint, subject to confirmation by Council, up to one resident of the Village to serve as an alternate member of the Board of Zoning Appeals for a term of four years each. This alternate member shall be in addition to the regular members and may substitute for regular members of the Board of Zoning Appeals who are unable to attend a meeting of or participate in a matter before the Board of Zoning Appeals. The alternate member at such meeting or such matter shall have all the powers and duties of a regular member of the Board of Zoning Appeals, including but not limited to the ability to vote. In the event the alternate member participates in a matter which does conclude at such meeting, but is continued for further deliberations,

the alternate member shall remain in substitution for the regular member(s) until the conclusion of such matter and the substituted regular member(s) shall not participate in such matter.”

SECTION 3. It is hereby 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 of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and for the further reason that this Ordinance must be immediately effective to ensure consistency with the Ohio Revised; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.



Mayor - President of Council

ATTEST:


Fiscal Officer

I certify that Ordinance No. 2022 - 01 was duly enacted on the 10TH day of JANUARY, 2022, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.



Fiscal Officer