

ORDINANCE NO.	<u>2024- 59</u>	FIRST READING	<u>May 13, 2024</u>
		SECOND READING	<u>WAIVED</u>
INTRODUCED BY:	<u>CHRIS BELL</u>	THIRD READING	<u>WAIVED</u>

**ORDINANCE AMENDING SECTION 3.06(c) OF THE ZONING CODE
OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

WHEREAS, after following the amendment process provided in Section 3.06 of the Zoning Code for the Village of South Russell and after a public hearing, Council desires to amend Section 3.06(c) of the Zoning Code of the Village of South Russell to provide when the Planning Commission must act, and when such action shall be certified, on amendments to the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by Council of the Village of South Russell that:

SECTION 1. Section 3.06(c) of the Zoning Code of the Village of South Russell is hereby deleted in its entirety and replaced to read as follows:

“Recommendation: The Commission may hold a public hearing within thirty days after the filing date of the proposed amendment by giving notice on Form Z-4 and at least one publication in a newspaper of general circulation in the municipality at least ten days before such hearing. Form Z-4 shall also be mailed by the Secretary at least ten days before the hearing to the applicant and property owners within, contiguous to, and across the street from any lot of record involved in an amendment to this Code. The proponent of the amendment may require the Commission to recommend approval or disapproval of the amendment exactly as proposed or may consent to modifications of the amendment recommended by the Commission or may request the Commission to recommend approval of an amendment with modifications agreed to and those not consented to by the proponent. Within thirty-five (35) days after the hearing or forty-five (45) days after the filing date if no hearing is held, the Commission shall recommend approval, disapproval, or modification of the amendment. Commission action including any conditions thereto shall be certified by the Secretary on Form Z-5 within five (5) business days of such Commission action and the Secretary shall return one (1) to the property owner and forward one (1) to the Clerk.”

SECTION 2. Existing section 3.06(c) of the Zoning Code of the Village of South Russell, the full text of which follows, is hereby repealed in its entirety:

“Recommendation: The Commission may hold a public hearing within thirty days after the filing date of the proposed amendment by giving notice on Form Z-4 and at least one publication in a newspaper of general circulation in the municipality at least ten days before such hearing. Form Z-4 shall also be mailed by the Secretary at least ten days before the hearing to the applicant and property owners within, contiguous to, and across the street from any lot of record involved in an amendment to this Code. The proponent of the amendment may require the Commission to recommend approval or disapproval of the amendment exactly as proposed or may consent to modifications of the amendment recommended by the Commission or may request the Commission to recommend approval of an amendment with modifications agreed to and those not consented to by the

proponent. Within fifteen days after the hearing or forty-five days after the filing date if no hearing is held, the Commission shall recommend approval, disapproval, or modification of the amendment. Commission action including any conditions thereto shall be certified by the Secretary on Form Z-5 and shall return one to the property owner and forward one to the Clerk.”

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

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village of South Russell and to immediately apply such amendment in the Village of South to amendments to the Zoning Code; 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. 2024-59 was duly enacted on the 13TH day of MAY, 2024, by the Council of the Village of South Russell, and published in accordance with the Codified Ordinances of the Village.



Fiscal Officer