

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE AMENDMENT OF SECTION 4.11 OF THE CITY OF REYNOLDSBURG CHARTER AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to City Charter Section 7.05, Council appointed a Charter Review Commission; and

WHEREAS, pursuant to City Charter Section 7.05, the Charter Review Commission has studied and reviewed the provisions of the City Charter and reported its recommendations for amendment of the Charter to Council;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO, TWO-THIRDS OF ALL MEMBERS ELECTED THERETO CONCURRING:

SECTION 1. That there be submitted to the electors of the City of Reynoldsburg, Ohio, at the general election to be held Tuesday, the 7th day of November 2017, during such time and places in the City of Reynoldsburg as established by the Boards of Elections of Franklin, Licking and Fairfield Counties, the following amendment to Section 4.11 of the City of Reynoldsburg Charter. It is the intention of this Council to have the Board of Elections place the proposed amendment to Section 4.11 on the voting machines as one ballot issue. The question to be submitted on the ballot shall be as follows, to-wit:

CITY OF REYNOLDSBURG, OHIO

PROPOSED CHARTER AMENDMENT

(Majority affirmative vote is necessary for passage)

SECTION 4.11 ZONING MEASURES.

~~—(a) Ordinances or resolutions establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations shall be initiated by a member of Council. Immediately after the first reading of the ordinance or resolution, the presiding officer of Council shall set a date for a public hearing before a joint meeting of Council and the Planning Commission, not earlier than fifteen days after the first reading. A total of five members of any combination, with at least one member from each body required, shall be considered a quorum, to hold the public hearing. The Clerk of Council shall cause a notice of the public hearing to be published one time in a newspaper of general circulation within the City; said publication to be made at least seven days prior to the date of the public hearing. When the amendment, revision, change or repeal involves ten or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council, or a person authorized by the Clerk, by regular U.S. Mail at least seven days before the date of the public hearing, to the owners of the property~~

~~within, contiguous to and directly across the street from the affected parcel or parcels. Such notices shall be sent to the addresses of owners appearing on the County Auditor's current tax list and to other lists as may be required by Council. Property to be rezoned shall be posted in a conspicuous place or places to provide additional notice to the public. The posting shall include the word "REZONING" in 2 inch red letters and such other details as the time and place of the hearing, sign size, lettering, and installation shall be determined by the Council. Property to be rezoned and to be posted shall be posted twenty days prior to the date of the public hearing on said rezoning. Such posting shall be deemed to be constructive notice to the public. The failure of actual notice shall not invalidate any ordinance or resolution.~~

~~(b) Immediately after the public hearing referred to in division (a) of this section, a copy of each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations shall be referred to the Planning Commission. Within thirty days after receipt of referral, the Planning Commission shall return to the Clerk of Council the written recommendations of a majority of the members of the Commission. The ordinance or resolution shall be given its second reading at the next regular meeting of Council, unless an earlier special meeting is called for that purpose.~~

~~(c) A concurring vote of at least three fourths of the membership of Council shall be necessary to pass any zoning ordinance or resolution which differs from the written recommendations of the Planning Commission, but in no event shall an ordinance or resolution be considered as having passed unless it receives at least a majority vote of the members of Council.~~

(a) PUBLIC HEARING NOTICE.

WHEN COUNCIL REVIEWS APPLICANT PETITIONS FOR ZONING DISTRICT CHANGES, THE CLERK OF COUNCIL SHALL CAUSE A NOTICE OF THE PUBLIC HEARING TO BE PUBLISHED ONE TIME IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY AT LEAST SEVEN DAYS PRIOR TO THE INITIAL PUBLIC HEARING. WHEN THE PETITION FOR ZONING DISTRICT CHANGE INVOLVES TEN OR LESS PARCELS OF LAND, THE CLERK OF COUNCIL OR DESIGNEE SHALL MAIL WRITTEN NOTICE OF THE PUBLIC HEARING TO THE OWNERS OF THE PROPERTY WITHIN, CONTIGUOUS TO, AND DIRECTLY ACROSS THE STREET FROM THE AFFECTED PARCEL OR PARCELS AT LEAST SEVEN DAYS PRIOR TO THE INITIAL PUBLIC HEARING. THE FAILURE OF DELIVERY OF THE NOTICE SHALL NOT INVALIDATE ANY ZONING ORDINANCE. COUNCIL MAY, UNDER THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION, PROVIDE FOR THIS PROCEDURE AND FOR ADDITIONAL POSTINGS TO BE COMPLETED PRIOR TO REVIEW BY THE PLANNING COMMISSION. SUCH NOTICES OR POSTINGS SHALL BE DEEMED TO BE CONSTRUCTIVE NOTICE TO THE PUBLIC.

(b) REVIEW PROCEDURES.

COUNCIL SHALL, BY ORDINANCE OR RESOLUTION, ESTABLISH PROCEDURES FOR REVIEW OF ORDINANCES ESTABLISHING, AMENDING, REVISING, CHANGING OR REPEALING ZONING CLASSIFICATIONS, DISTRICTS,

USES, MAPS OR OTHER REGULATIONS. SUCH PROCEDURES SHALL INCLUDE REVIEW BY THE PLANNING COMMISSION.

(c) VOTING REQUIREMENTS.

THE FOLLOWING VOTING REQUIREMENTS SHALL APPLY TO ORDINANCES AMENDING, REVISING, CHANGING OR REPEALING PROVISIONS OF THE PLANNING AND ZONING CODE OR ZONING DISTRICTS:

(1) AN AFFIRMATIVE VOTE OF AT LEAST THREE-FOURTHS OF THE MEMBERS OF COUNCIL SHALL BE NECESSARY TO PASS A ZONING ORDINANCE WHICH DIFFERS FROM THE WRITTEN RECOMMENDATIONS OF THE PLANNING COMMISSION.

(2) IN NO EVENT SHALL AN ORDINANCE BE CONSIDERED AS HAVING PASSED UNLESS IT RECEIVES AT LEAST A MAJORITY VOTE OF THE MEMBERS OF COUNCIL.

SECTION 2. That the Board of Elections of Franklin County be and is hereby directed to give public notice of the time and place of holding such election, by publication of such notice at least ten days prior to the date of such election in a newspaper of general circulation in the City of Reynoldsburg, Ohio.

SECTION 3. That the Clerk of Council be and is hereby directed to publish the full text of the proposed Charter amendment once a week for not less than two consecutive weeks in a newspaper published and of general circulation in the City of Reynoldsburg, with the first publication being at least fifteen days prior to the election hereinbefore provided and to certify a copy of this ordinance to the Boards of Elections of Franklin, Licking and Fairfield Counties.

SECTION 4. That upon passage of this amendment to the City of Reynoldsburg Charter by a majority of the electors voting thereon, existing Section 4.11 shall be so amended.

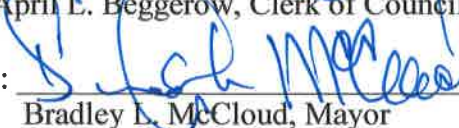
SECTION 5. That this ordinance is deemed to be an emergency measure necessary for the preservation of the public peace, health and safety and further for the reason that pursuant to Section 7.05 of the City Charter the amendment is to be placed before the voters and must be received by the Boards of Elections no later than ninety days prior to the election; wherefore upon adoption by Council this ordinance shall be in effect immediately upon signature by the Mayor.



Doug Joseph, President of Council

ATTEST: 

April L. Beggerow, Clerk of Council

APPROVED:  DATE 2/11/17

Bradley L. McCloud, Mayor

CERTIFICATE

I, April L. Beggerow, Clerk of Council, City of Reynoldsburg, Ohio do hereby certify the foregoing to be a true and correct copy of Ordinance No. 73-17 as passed by Council of said City on the 10th day of July, 2017 and as recorded in the Record of Proceedings of said Council.

April L. Beggerow
April L. Beggerow, Clerk of Council

Filed with Mayor: 7/11/17

Published: _____