

ORDINANCE 2021-28

AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT TO REPEAL AND REPLACE SECTION 1115.08 AND SECTION 1199.08 OF THE ZONING CODE, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Chapters 711, 713, and 715 provide a statutory village the authority to enact zoning laws, rules, and regulations and provide for the enforcement thereof; and

WHEREAS, the Village of Commercial Point has adopted a Zoning Code, as amended from time to time, to regulate property within the Village; and

WHEREAS, the Village Council wishes to update Section 1115.08 and Section 1199.08 within the Zoning Code of the Village of Commercial Point to clarify the responsibility of the maintenance of detention basins on private property within the Village; and

WHEREAS, the Village intends to retain all rights and authority provided to it under the Ohio Revised Code and Zoning Code as amended to enforce the zoning laws, rules, and regulations of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO THAT:

SECTION 1. Repeal and Replacement of Section 1115.08 of the Zoning Code. The Zoning Code of the Village of Commercial Point is hereby amended to repeal the current version of Section 1115.08 in its entirety and replace it with Exhibit A attached to this Ordinance and which is incorporated herein by reference. All other components of the Zoning Code of the Village of Commercial Point, as amended, are hereby reaffirmed and readopted. Nothing in this Section shall be construed as the Village waiving any of its rights or authority under the Ohio Revised Code or Zoning Code as amended to enforce the zoning laws, rules, and regulations of the Village.

SECTION 2. Repeal and Replacement of Section 1199.08 of the Zoning Code. The Zoning Code of the Village of Commercial Point is hereby amended to repeal the current version of Section 1199.08 in its entirety and replace it with Exhibit A attached to this Ordinance and which is incorporated herein by reference. All other components of the Zoning Code of the Village of Commercial Point, as amended, are hereby reaffirmed and readopted. Nothing in this Section shall be construed as the Village waiving any of its rights or authority under the Ohio Revised Code or Zoning Code as amended to enforce the zoning laws, rules, and regulations of the Village.

SECTION 3. Open Meetings Certification. 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 other committees that resulted in such 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. Emergency Declaration. Because it is of paramount importance to properly delineate responsibilities as to the maintenance of drainage basins within the Village of Commercial Point in order to secure the integrity of the storm water system in the Village, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, peace, and welfare, and shall, therefore, go into effect immediately upon passage.

Vote on Suspension of the Readings:
Motion by: Jason Thompson

2nd: Laura Wolfe

<u>Yes</u> Jason Thompson	<u>N/A</u> Aaron Grassel	<u>Yes</u> Ryan Mitchem
<u>Yes</u> Nancy Geiger	<u>Yes</u> Tracy Joiner	<u>Yes</u> Laura Wolfe

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Vote on Passage of the Ordinance:

Motion by: Laura Wolfe

2nd: Jason Thompson

Roll Call:

Yes Jason Thompson

N/A Aaron Grassel

Yes Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

Adopted this 16th day of August, 2021.



Allan D. Goldhardt, Mayor



Wendy Hastings, Fiscal Officer

Approved as to Form:



Joshua Cartee, Village Solicitor