

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE 07-20

INTRODUCED BY: Mayor Luks

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING & ZONING CODE, CHAPTER 1224, SECTION 1224.08(f) REVIEW PROCEDURES, AND DECLARING AN EMERGENCY

WHEREAS: Council desires to amend Section 1224.08(f) to clarify that appeals from a decision of the Architectural Review Board shall be made to the Board of Zoning Appeals.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Section 1224.08(f) Review Procedures is hereby amended to read as follows:

1224.08 REVIEW PROCEDURES.

(f) The Architectural Review Board shall render a decision in favor of the City, the applicant, or modify any such request including the imposition of conditions on the date of the hearing unless, for good cause, the applicant requests a continuance or if the City seeks a continuance, the applicant agrees to such continuance. In no event shall the decision be delayed more than 30 days. Said decision shall be reduced to writing by the Chairperson and signed by him or her. A record of all such decisions shall be kept by the Architectural Review Board and/or Building Commissioner. In the absence of a separate written decision, the minutes shall serve as the written decision. In the event the minutes serve as the decision, said decision is not final until the minutes are approved by a majority of the members of the Architectural Review Board at an open meeting of the committee. Immediately following the Architectural Review Board's decision, such record, including conditions prescribed by the Architectural Review Board, shall be filed and posted for two weeks in the office of the Building Commissioner. The report shall be open to public inspection and copies shall be mailed forthwith to each interested party noted therein. Any party may appeal an adverse decision in the manner prescribed in Section ~~1264.11~~ **1264.04**.

Section 2. Section 1224.08 is hereby amended as provided for herein and all other provisions of Chapter 1224 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that Council has determined that it is immediately necessary to amend Section 1224.08(f) to clarify that appeals from a decision of the Architectural Review Board shall be made to the Board of Zoning Appeals.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Robert A. Stefanik  
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks  
MAYOR

DATE PASSED: February 20, 2007

DATE APPROVED: February 21, 2007

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading February 20, 2007

YEAS: Stefanik, Bobulsky, Gentile, Willey,  
McKee, Antoskiewicz, Uffman-Kirsch  
NAYS: none