

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 07-65

INTRODUCED BY: Gentile, Uffman-Kirsch

AN ORDINANCE AMENDING ORDINANCE 06-113 ESTABLISHING AN INTERIM DEVELOPMENT CONTROL DISTRICT (IDC) NO. 3 AS AN OVERLAY DISTRICT AS AMENDED BY ORDINANCE 06-114 PURSUANT TO CHAPTER 1268 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON BY EXTENDING IDC NO. 3 FOR AN ADDITIONAL SIX (6) MONTHS PURSUANT TO SECTION 1268.07(g), AND DECLARING AN EMERGENCY

WHEREAS: Council has adopted Ordinance 04-153 establishing Chapter 1268, Interim Development Control District in accordance with the recommendations of the Master Plan; and

WHEREAS: Council adopted Ordinance 06-113 which imposed an Interim Development Control District (IDC) No. 3 over properties in the designated Chippewa Creek Watershed in the City of North Royalton for a period of four (4) months pursuant to Chapter 1268 of the Codified Ordinances of the City of North Royalton, said district expiring on November 19, 2006; and

WHEREAS: Council adopted Ordinance 06-114 which extended IDC No. 3 for an additional 8 months pursuant to Section 1268.07(e), said extension expiring on July 19, 2007, and

WHEREAS: Section 1268.07(g) requires a study, and based on the study, allows Council to extend an IDC District for an additional six (6) months provided Public Hearings been held in accordance with applicable codes; and

WHEREAS: Council desires to amend Ordinance 06-113 by extending IDC No. 3 for an additional six (6) months pursuant to Section 1268.07(g).

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

Section 1. Council finds that the Administration has complied with Chapter 1268 and is conducting a study of the Chippewa Creek Watershed to develop a plan in conjunction with the cities of Broadview Hts. and Brecksville to manage the Chippewa Creek Watershed. Council finds that the extension of the IDC No. 3 by amending Ordinance 06-113 to extend the district for an additional six (6) months is necessary to preserve the public peace, safety and welfare. Said extended district shall expire on January 19, 2008.

Section 2. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 3. This Ordinance shall be referred to the Planning Commission in accordance with 1268.07(g) for a Public Hearing and recommendation, with said recommendation being provided to Council prior to Council's Public Hearing on this Ordinance scheduled for July 17, 2007.

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 extend IDC No. 3 for an additional six (6) months.

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: July 17, 2007

DATE APPROVED: July 18, 2007

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

First reading June 5, 2007  
Amended June 5, 2007  
Second reading June 19, 2007  
Third reading July 17, 2007

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