

ORDINANCE NO. 026-16

AN ORDINANCE AMENDING SECTION 1121.03 OF THE PLANNING AND ZONING CODE OF THE CITY OF NAPOLEON, OHIO

WHEREAS, the City's Municipal Properties, Buildings, Land Use & Economic Development Committee and City Council reviewed the City's Planning and Zoning Code in an effort to keep up to date with the current trends of development; and,

WHEREAS, upon recommendation of the Municipal Properties, Buildings, Land Use & Economic Development Committee, this Council deems prudent to *amend the Planning and Zoning Code*, to wit: Section 1121.03 (Hearing on Application for Amendment); Now Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, Section 1121.03 of the Codified Ordinances of Napoleon, Ohio is hereby amended and enacted as follows:

"1121.03 Hearing on application for amendment.

Within 60 days of receipt of any application by the Zoning Administrator for an amendment, the Planning Commission shall hold a hearing on such application at such time and place as shall be established by the Planning Commission. Notice of said hearing shall be given in accordance with the provision of Section 159.03 of the Administrative Code; moreover, if the amendment proposed is to rezone or redistrict ten (10) or less parcels of land, written notice of the hearing shall be given to the owners of property within a two hundred foot (200') radius from such parcel as listed on the tax duplicate. In addition, if the amendment proposed is to rezone any property currently zoned as industrial, then written notice shall be provided to all owners of such properties currently zoned as industrial. Such notice shall be mailed by the Zoning Administrator by first class mail to the address of such owners appearing on the County Auditor's current tax list or the Finance Director's mailing list and to such other list that may be specified by the Planning Commission at least twenty (20) days before the date of the public hearing. The failure of delivery of such notice shall not invalidate any such ordinance, measure, or regulation. The Zoning Administrator shall cause to be made a search of the records of the Henry County Recorder to determine the record owners."

Section 2. That, Section 1121.03 as existed prior to the enactment of this Ordinance, is repealed and shall be replaced by the aforementioned Section 1121.03 language.

Section 3. The zoning map as currently on file with Zoning Administrator shall remain unchanged with the adoption of this Ordinance.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed:

Yes 09/06/2016

Travis B. Sheaffer, Council President

Patrick M. McElroy

Pro-Team

Approved:

09/06/2016

Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

Gregory J. Heath
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 026-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director