

RESOLUTION NO. 13-67
INTRODUCED BY: Mr. Lee

A RESOLUTION
PROVIDING FOR THE SUBMISSION OF THE QUESTION OF APPROVAL OF
ORDINANCE NO. 13-56, BEING AN ORDINANCE “RE-ZONING CERTAIN LANDS
LOCATED ON CAHOON ROAD, PERMANENT PARCELS NO. 203-09-017, 203-09-
018, 203-09-019, 203-09-020, AND 203-09-021 CONTAINING 2.349 ACRES, FROM
THIRD RESIDENCE DISTRICT TO ATTACHED RESIDENCE DISTRICT, AND
DECLARING AN EMERGENCY”

WHEREAS, the Council of the City of Bay Village, Ohio, adopted Ordinance No. 13-56 on August 5, 2013, the same being an ordinance “RE-ZONING CERTAIN LANDS LOCATED ON CAHOON ROAD, PERMANENT PARCELS NO. 203-09-017, 203-09-018, 203-09-019, 203-09-020, AND 203-09-021 CONTAINING 2.349 ACRES, FROM THIRD RESIDENCE DISTRICT TO ATTACHED RESIDENCE DISTRICT, AND DECLARING AN EMERGENCY.” and,

WHEREAS, Section 7.6 of the Charter of the City of Bay Village requires that any change in the zoning classification of any property within the City shall not become effective until Council submits such ordinance to the electorate and the ordinance is approved by a majority of the electors voting thereon in the municipality and in each ward in which the change is applicable to the property in the ward;

NOW, THEREFORE, BE IN RESOLVED by the Council of the City of Bay Village, Ohio,

SECTION 1. That the question of the approval by the electors of the City of Bay Village and the electors of Ward 2 of the City of Bay Village, Ohio, of Ordinance No. 13-56, being an ordinance “RE-ZONING CERTAIN LANDS LOCATED ON CAHOON ROAD, PERMANENT PARCELS NO. 203-09-017, 203-09-018, 203-09-019, 203-09-020, AND 203-09-021 CONTAINING 2.349 ACRES, FROM THIRD RESIDENCE DISTRICT TO ATTACHED RESIDENCE DISTRICT, AND DECLARING AN EMERGENCY,” be submitted to a vote of the qualified electors of the City of Bay Village at the election to be held on the 5th day of November, 2013, at the regular places of voting in said city between the hours as provided by law.

SECTION 2. That the ballot of said election shall at the top thereof be entitled:

“APPROVAL OF ORDINANCE NO. 13-56 OF THE CITY OF BAY VILLAGE.”

Thereunder shall be printed:

“A MAJORITY AFFIRMATIVE VOTE IN THE MUNICIPALITY AND WARD 2 IS NECESSARY FOR PASSAGE.”

Thereunder shall be printed the full text of Ordinance No. 13-56 or a condensed text of the ordinance that will properly describe the ordinance and in the event that such condensed text is used, such condensed text shall be prepared and certified by the Board of Elections. The question to be submitted on the ballot shall be the following words:

“SHALL ORDINANCE NO. 13-56 BEING AN ORDINANCE ‘RE-ZONING CERTAIN LANDS LOCATED ON CAHOON ROAD, PERMANENT PARCELS NO. 203-09-017, 203-09-018, 203-09-019, 203-09-020, AND 203-09-021 CONTAINING 2.349 ACRES, FROM THIRD RESIDENCE DISTRICT TO ATTACHED RESIDENCE DISTRICT, AND DECLARING AN EMERGENCY,’ BE APPROVED?”

To the left of such wording, in boxes with appropriate places for marking, shall appear the words “YES” and “NO” and each voter shall indicate his choice by marking an “X” in the place so provided.

SECTION 3. That this Council hereby requests the Board of Elections of Cuyahoga County to give notice of said election and to prepare the necessary ballots and supplies for said election in accordance with law.

SECTION 4. That the Clerk of Council be and she is hereby directed to certify a copy of this resolution and a copy of Ordinance No. 13-56 to the Board of Elections of Cuyahoga County immediately upon its passage and approval by the Mayor.

SECTION 5. That this Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to adopt this resolution in order to permit the electors of the municipality to vote on the proposed question at the November 5, 2013 election, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: August 7, 2013

/s/ Michael A. Young
VICE PRESIDENT OF COUNCIL

/s/ Joan T. Kemper
CLERK OF COUNCIL

APPROVED: August 7, 2013

/s/ Deborah L. Sutherland
MAYOR

8/6/13
jk