

RESOLUTION NO. 21-62
INTRODUCED BY: Ms. Maier

A RESOLUTION

PROVIDING FOR THE SUBMISSION OF THE QUESTION OF APPROVAL OF ORDINANCE NO 21-58, BEING AN ORDINANCE “ENACTING CODIFIED ORDINANCE CHAPTER 1189 AS AMENDED – MIXED USE OVERLAY DISTRICT TO THE PLANNING AND ZONING CODE”, AND DECLARING AN EMERGENRY

WHEREAS, the Council of the City of Bay Village, Ohio, adopted Ordinance No. 21-58 on June 28, 2021, the same being an ordinance “ENACTING CODIFIED ORDINANCE CHAPTER 1189 AS AMENDED – MIXED USE OVERLAY DISTRICT TO THE PLANNING AND ZONING CODE”; 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 1 and Ward 2 of the City of Bay Village, Ohio, of Ordinance No. 21-58, being an ordinance “ENACTING CODIFIED ORDINANCE CHAPTER 1189 AS AMENDED – MIXED USE OVERLAY DISTRICT TO THE PLANNING AND ZONING CODE” be submitted to a vote of the qualified electors of the City of Bay Village at the election to be held on the 2nd day of November, 2021, 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. 21-58 OF THE CITY OF BAY VILLAGE.”

Thereunder shall be printed:

“A MAJORITY AFFIRMATIVE VOTE IN MUNICIPALITY AND WARD 1 AND WARD 2 IS NECESSARY FOR PASSAGE.”

Thereunder shall be printed the full text of Ordinance No. 21-58 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 CHAPTER 1189 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE AS AMENDED, TITLED MIXED USE OVERLAY DISTRICT, REGARDING REZONING LANDS ONLY IN THE RETAIL BUSINESS DISTRICT, COMMERCIAL BUSINESS DISTRICT, APARTMENT DISTRICT, OFFICE DISTRICT, AUTOMOBILE PARKING DISTRICT, BUT EXCLUDING PERMANENT PARCEL 204-01-079, 204-01-080, AND 204-01-081 ALSO KNOWN AS 630 COLUMBIA ROAD AND PERMANENT PARCEL 204-01-082, 204-01-083, AND 204-01-084 ALSO KNOWN AS 25513 EATON WAY 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. 21-58 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.

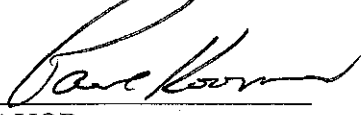
SECTION 6. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to adopt this resolution in order to permit the electors of the municipality to vote on the proposed question at the November 2, 2021 election, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: July 12, 2021


PRESIDENT OF COUNCIL


CLERK OF COUNCIL

APPROVED: July 12, 2021



MAYOR

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