

PASSED 3/16/15

ORDINANCE NO. 5 - 2015

ORDINANCE AMENDING §153.544 OF THE VILLAGE ORDINANCES TO CORRECT AN INCONSISTENCY OR AMBIGUITY IN THE VOTES NEEDED TO DENY A RECOMMENDATION OF THE PLANNING COMMISSION

WHEREAS, the Ordinance §153.544(A) requires a three-fourths majority to deny the recommendation of the Planning Commission on amendments to the Zoning Ordinance; and

WHEREAS, this provision, as currently written, could cause an Ordinance to not garner enough votes to pass or garner enough votes to fail; and

WHEREAS, the Village desires to correct this ambiguity and adopt an amendment to the Zoning Ordinance which closely mirrors the Ohio Revised Code; and;

WHEREAS, the Planning Commission has considered this amendment to the Zoning Ordinance and has recommended that this amendment should be adopted by Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAK HARBOR, OTTAWA COUNTY, OHIO:

SECTION 1. The Village of Oak Harbor Codified Ordinance §153.544(A) is amended to state as follows:

§154.33 ACTION BY VILLAGE COUNCIL.

(A) Within 30 days after the public hearing, the Village Council shall either adopt or deny the recommendation of the Planning Commission or adopt some modification thereof. No such ordinances which differs from, or departs from the recommendation submitted by the Planning Commission shall take effect unless passed or approved by not less than three-fourths of the membership of the legislative authority. No ordinance which is in accordance with recommendations submitted by the Planning Commission shall be deemed to pass or be deemed denied without the concurrence of at least a majority of the members elected to the legislative authority.

SECTION 2. The currently enacted version of §153.544(A) is hereby repealed in its entirety. The rest of §153.544 is not affected by this legislation.

SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council; and

that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

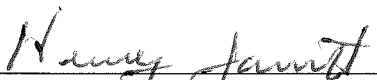
SECTION 4. That this Resolution shall take effect and be in full force and operation at the earliest date permitted by law.

Approved: March 16, 2015



William Eberle, Mayor

Attest:



Henry Jarrett, Fiscal Officer

Adopted: March 16, 2015