

INTRODUCED BY: COUNCILMAN SIMS

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTIONS 1242.14 ENTITLED "DEMOLITION PERMIT REQUIRED; ISSUANCE" AND 1244.04 ENTITLED "APPLICATIONS AND APPEALS" TO REQUIRE THAT ANY APPLICATION FOR A DEMOLITION PERMIT FOR DEMOLITION OF A RESIDENTIAL STRUCTURE BE CONSIDERED EXCLUSIVELY BY CITY COUNCIL.

WHEREAS, Council wishes to establish a procedure for the prior review and approval by City Council of the demolition of any residential structure;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO THAT:

Section 1. Codified Ordinance Section 1242.14 is hereby amended by adding subsection (c) thereof which shall read in its entirety as follows:

(c) Any permit application for demolition of a residential structure must first be referred to Planning Commission for recommendation, and subsequently ruled upon by Council; provided, however, that the Building Commissioner may, as an initial matter, issue a denial of a permit for demolition of a residential structure, and any such denial may be appealed to Council. In any case, with respect to any residential structure, no demolition permit shall be issued without prior review and approval by City Council.

Section 2. The remaining provisions of existing Codified Ordinance Section 1242.12 shall remain unmodified and in full force and effect.

Section 3. Codified Ordinance Section 1244.04 is hereby amended by amending subsection (b)(2) thereof and adding subsection (b)(3) thereof, which subsections shall read in their entirety as follows:

(2) Except as otherwise set forth in subsection (3) hereof, any person aggrieved by a decision of the Building Commissioner in the granting or refusal of a building permit or certificate of occupancy under this Zoning Code, or by a decision or order of the Building Commissioner, Chief of Fire or other administrative officer pertaining to regulations under this Zoning Code or under the Ohio Residential Code, General Building Code, Fire Prevention Code or similar ordinance, may appeal in writing to the Board from such decision or order.

(3) With respect to the denial of any application for a demolition permit for demolition of a residential structure, there shall be no right of appeal to the City's Board of Zoning Appeals.

Section 4. The remaining provisions of existing Codified Ordinance Section 1244.04 shall remain unmodified and in full force and effect.

Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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.

CITY OF UNIVERSITY HEIGHTS, OHIO


MICHAEL DYLAN BRENNAN, MAYOR

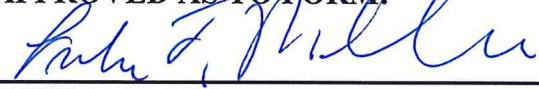
FIRST READING: 12/18/2017

PASSED: 01/02/2018

ATTEST:


KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:


LUKE F. MCCONVILLE, LAW DIRECTOR