

ORDINANCE NO. 2018-06

INTRODUCED BY: MICHAEL DYLAN BRENNAN

AN ORDINANCE ADOPTING A MORATORIUM ON THE ENFORCEMENT OF THE PROHIBITION AGAINST THREE UNRELATED PERSONS LIVING TOGETHER, AS SET FORTH IN CODIFIED ORDINANCE SECTION 1280.10(b)(1), FOR A PERIOD EXPIRING ON MAY 31, 2018, TO ALLOW THE CITY TO REVIEW POLICY ISSUES IN CONNECTION WITH THE ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, Codified Ordinance Section 1280.10(b)(1) prohibits the occupation of any dwelling unit in the City by more than three unrelated persons (i.e., persons not related by blood, marriage or adoption); and

WHEREAS, the City wishes to study the application and efficacy of the prohibition against the occupation of any dwelling unit in the City by more than three unrelated persons (i.e., persons not related by blood, marriage or adoption); and

WHEREAS, the City wishes to place a moratorium on enforcement of the prohibition of occupancy of any dwelling by three or more unrelated persons;

WHEREAS, this moratorium shall not permit or authorize violation of the terms of the ordinance, and the City will reserve the right to enforce the terms of the ordinance immediately upon the expiration of the moratorium, irrespective of when any living arrangement that violates the ordinance began;

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

Section 1. This Council establishes a moratorium on the enforcement of the prohibition against the occupation of any dwelling unit in the City by more than three unrelated persons (i.e., persons not related by blood, marriage or adoption), as set forth in Codified Ordinance Section 1280(b)(1), for a period from the date of adoption of this Ordinance by Council through May 31, 2018.

Section 2. This moratorium shall not permit or authorize violation of the terms of Codified Ordinance Section 1280.10(b)(1), and the City reserves the right to enforce the terms of Codified Ordinance Section 1280.10(b)(1) immediately upon the expiration of the moratorium, irrespective of when any living arrangement that violates the ordinance began.

Section 3. The remaining provisions of Codified Ordinance Section 1280.10 shall remain enforceable and in full force and effect during the period of this moratorium, including, but not limited to, the requirement to register rental properties in accordance with the terms of Codified Ordinance Section 1280.10.

Section 4. This moratorium is for the purpose only of allowing Council to study the issue of regulating the number of unrelated persons permitted to live together in one dwelling. This moratorium does not invalidate any decision or enforcement of any decision reached by the City's Board of Zoning Appeals or this Council prior to adoption of this ordinance relating to any violation of Codified Ordinance Section 1280.10(b)(1); nor does this moratorium authorize or allow the issuance of any rental registration permit for a tenancy that would violate the terms of Codified Ordinance Section 1280.10(b)(1).

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.

Section 6. This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of University Heights for the reason of the necessity to immediately establish the moratorium for the reasons set forth in the recitals of this Ordinance and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

CITY OF UNIVERSITY HEIGHTS, OHIO


MICHAEL DYLAN BRENNAN, MAYOR

PASSED: 01/16/2018

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:


LUKE F. MCCONVILLE, LAW DIRECTOR