

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1220.09 ENTITLED "PUBLIC MEETING AND NOTICE" FOR THE PURPOSE OF PROVIDING PLANNING COMMISSION MEMBERS WITH THE RIGHT TO ESTABLISH A REGULARLY SCHEDULED MONTHLY PLANNING COMMISSION MEETING AT A DATE AND TIME CONVENIENT FOR PLANNING COMMISSION MEMBERS AND DECLARING AN EMERGENCY

WHEREAS, Council wishes to give Planning Commission members the flexibility to establish a regularly scheduled monthly meeting date for the City's Planning Commission at a date and time convenient for the Planning Commission members;

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

**Section 1.** Codified Ordinance Section 1220.09 is hereby amended to read in its entirety as follows:

**1220.09 PUBLIC MEETING AND NOTICE**

The Planning Commission shall hold a public meeting on an officially filed application within 45 days after the application's official filing date. The Planning Commission shall hold a regularly scheduled monthly meeting at a date and time established, from time to time, by the members of the Planning Commission; provided, that the regularly scheduled Planning Commission meeting may be canceled by the Mayor in the event that there is no new business for consideration. Before holding such public meeting, written notice of the public meeting shall be provided by first class mail at least seven calendar days prior to the date of public meeting with such notice deemed given on the date of mailing. Mailed notices shall be given to the record owners of parcels within 100 feet from the exterior boundaries of the area described in the application, and to the record owners of other parcels deemed by the Commission to be immediately affected by the case, and to members of Council. The City, at its discretion and in lieu of mailed notice, may provide for the hand delivery of written notice. The written notice shall set forth the time and place of the public meeting and the nature of the proposed development. The failure to deliver the notice as provided in this section shall not invalidate the public meeting or any decision on the application. The date and time established for the regularly scheduled Planning Commission Meeting shall not be changed more than once per calendar year. Nothing herein shall be construed to prohibit the Planning Commission from re-scheduling any meeting as necessary or conducting any special meeting as necessary.

**Section 2.** Existing Codified Ordinance Section 1220.09 is hereby repealed.

**Section 3.** 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 4.** This ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO  
  
MICHAEL DYLAN BRENNAN, MAYOR

PASSED: 05/07/2018

ATTEST:  
  
KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:  
  
LUKE F. MCCONVILLE, LAW DIRECTOR