

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE VILLAGE OF RICHFIELD A PROPOSAL TO AMEND ARTICLE IX PERTAINING TO THE DEPARTMENT OF PLANNING AND ZONING

WHEREAS, the Charter Review Commission of the Village of Richfield has recommended amending Article IX of the Charter.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That there be, and hereby is, submitted to a vote of the qualified electors of the Village of Richfield at the November 7, 2000 general election at the regular places of voting in the Village during the regular hours of voting on such date as prescribed by general law the proposal of the Charter Review Commission to amend Article IX of the Charter of the Village of Richfield pertaining to the Department of Planning and Zoning which proposal shall read as follows:

“ARTICLE IX
PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND ZONING”

Section 9.01 Director of Planning and Zoning - Appointment and Removal

The Director of Planning and Zoning shall be appointed and removed by the Mayor subject to confirmation by the affirmative vote of two-thirds (2/3) of the members elected or appointed to Council.

Section 9.02 Director of Planning and Zoning - Qualifications

The Director of Planning and Zoning shall have general administrative experience and a general background in planning, building and construction.

Section 9.03 Director of Planning and Zoning - Duties in General

The Director of Planning and Zoning shall be the head of the Department of Planning and Zoning, may act as the Zoning Inspector and shall:

1. be responsible for the issuance of all zoning certificates;
2. supervise the administration and the enforcement of the zoning ordinance and any orders thereunder;

3. work with any other consultants as deemed necessary by the administration, Council, the Planning and Zoning Commission or the Board of Zoning Appeals; and
4. perform such other duties consistent with his office as may be required by this Charter, by ordinance or resolution of Council or as directed by the Mayor.

Section ~~9.01~~ 9.04 Planning and Zoning Commission - Organization

There shall be a Planning and Zoning Commission which shall consist of one (1) member of Council elected by Council annually and of four (4) electors of the Municipality not holding other municipal office or employment, to be appointed for terms of four (4) years, or removed by the Mayor subject to confirmation by the affirmative vote of a majority of the members elected or appointed to Council. The Mayor shall be an ex officio member of the Commission, but shall have not vote.

Each member holding office on the effective date of the Charter shall continue to serve for the remainder of his term. Other members shall be appointed for terms so that the term for one (1) member shall expire annually. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for original appointment.

All members of this Commission shall serve without compensation unless otherwise provided by ordinance of Council.

The Commission shall meet at least once a month and all meetings shall be open to the public, unless an executive session is held for one of the reasons set forth in the Ohio Revised Code.

Section ~~9.02~~ 9.05 Planning and Zoning Commission - Powers and Duties

The Planning and Zoning Commission shall:

1. plan the overall growth, development, redevelopment, rehabilitation and renewal of the Municipality, inaugurate studies, conduct surveys, hold public hearings, develop plans and maps, and prepare reports that are necessary to this Commission's function;
2. continuously review and report to Council its recommendations concerning the Municipality, capital improvement programs, subdivision expansions, platting and zoning ordinances and regulations;
3. act as platting commissioners for the Municipality and interpret all zoning and platting ordinances, develop means to enhance communications between the Commission and other governmental or

- private planning agencies so as to secure the maximum benefit to the Municipality from the activities of such said agencies;
4. assume such additional powers as may be established by ordinance of Council and undertake such powers and duties as provided by the general laws of the State of Ohio, to the extent not in conflict with the provisions of this Charter;
 5. request information relative to its duties and require the same to be furnished, in a reasonable length of time, from departments of the Municipality;
 6. request assistance from the Mayor to direct such staff members and departments that may be involved to make such special studies as may be deemed necessary by the Commission;
 7. make examinations and surveys which may pertain to and are deemed necessary by the Commission to develop plans that are in the best interests of the Municipality.

Section 9.03 9.06 Mandatory Referral

No public building, street, boulevard, parkway, park, playground, bridge, tunnel, publicly or privately owned utility or part thereof shall be constructed or authorized to be constructed in the Municipality, nor shall any street, avenue, parkway, boulevard or alley be opened for any purpose whatsoever, nor shall any street, avenue, parkway, boulevard or alley be widened, narrowed, relocated, vacated, or its use changed, or any ordinance referred to zoning or other regulations controlling the use or development of land be adopted unless and until the action proposed to be taken or the ordinance or regulation proposed to be adopted shall have been submitted to the Planning Commission for report and recommendation. Any matter so referred to the Planning Commission shall be acted upon by it within ~~thirty~~ (30) sixty (60) days from the date of referral unless a different period of time be provided by Council. If the Planning Commission shall fail to make a report and recommendation on such matter within the time allotted, it shall be deemed to have approved such matter. Any resolution, ordinance or order, or any part or provision thereof, disapproved by formal action of the Planning Commission shall require the affirmative vote of two-thirds (2/3) of the members elected or appointed to Council for adoption or authorization.

Section 9.04 9.07 Operating Procedures

The Commission shall elect from its members a Chairman, Vice Chairman, Secretary and such other officers as it may deem necessary.

The Commission shall elect or re-elect its officers at its first regular meeting in January of each year. A majority of the voting members of the Commission shall constitute a quorum and the affirmative vote of a majority of the voting members of the Commission shall be necessary for any official action.

The Commission shall adopt its own rules and regulations and shall keep a complete Journal of proceedings, showing the vote of each member on every question, which Journal shall be open for public inspection at all times during the scheduled working hours of the municipal office or by appointment.

In addition to the assistance provided by the staff personnel of the administrative departments, the Commission may, when it is deemed necessary, solicit Council for the appointment of an administrative assistant to assist in the clerical duties associated with the needs of this Commission.

~~Section 9.05 Zoning Inspector Appointment and Removal Duties~~

~~The Zoning Inspector shall be appointed or removed by the Mayor subject to confirmation by the affirmative vote of two-thirds (2/3) of the members elected or appointed to Council.~~

~~He shall be responsible for the issuance of all zoning certificates, supervise the administration and the enforcement of the zoning ordinances and any orders issued thereunder. He shall perform such other duties as may be required by this Charter by ordinance or resolutions of Council or as directed by the Mayor.~~

Section 9.06 9.08 Funds

A sufficient sum shall be appropriated by the Council each year to carry out the planning and zoning provisions of this Charter.”

SECTION 2. That the Clerk of Council be, and hereby is, authorized and directed to submit a certified copy of this Ordinance to the Summit County Board of Elections not less than sixty (60) days prior to the November 7, 2000 general election for submission to the qualified electors of the Village of Richfield.

SECTION 3. That the ballot language for said issue shall read substantially as follows:

“VILLAGE OF RICHFIELD
PROPOSED CHARTER AMENDMENT

Shall Article IX of the Charter of the Village of Richfield be amended to provide for a Director of Planning and Zoning, to provide qualifications therefor and to provide duties therefor and to increase the time for mandatory referral to the Planning and Zoning Commission from 30 to 60 days?

YES

NO”

SECTION 4. That pursuant to Ohio Revised Code Section 731.211, the Clerk of Council shall give notice of the foregoing proposed Charter amendment to the electors of the Village of Richfield.

SECTION 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 15, 2000

Michael Stephens
President of Council

Donald S. Larsen
Mayor

Dated: 8/16/2000

ATTEST:
Carole Gibson
Clerk of Council