

ORDINANCE NO. 2023-05

AN ORDINANCE AMENDING THE WINDHAM VILLAGE ZONING CODES WITH RESPECT TO ENFORCEMENT PENALTY.

Whereas, the Village Zoning Inspector has recommended to Council that it is appropriate to amend the Village of Windham Zoning Code with respect to the penalties to be imposed for outstanding violations of the Village Zoning Code; and

Whereas, the Council has determined that the recommended amendment is appropriate and the Village of Windham Zoning Code should be amended; and

Whereas, in accordance with Windham Codified Ordinance Section 1147.01 the Council on May 23, 2023 by resolution fixed the time, date and place of the public hearing on the proposed amendment and directed the Village Fiscal Officer to publish the notice described in Windham Codified Ordinance Section 1147.01; and

Whereas, the Council caused notice of the proposed amendment and the time and place of the public hearing to be published in the Record Courier, a paper of general circulation in the Village, once a week for three successive weeks; and

Whereas, on June 27, 2023, at least thirty days after the date of the first publication of the notice in the Record Courier, the Council held a public hearing on the proposed amendment; and

Whereas, the Council has decided to amend the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio, the majority or more of its members thereto concurring:

SECTION 1: That the current version of Windham Codified Ordinance 1139.99 is hereby repealed in its entirety.

SECTION 2: Windham Codified Ordinance 1139.99 as is set forth in the attached Exhibit A, which is incorporated herein by reference, is hereby enacted.

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 accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 4: That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

First Reading: May 23, 2023
Second Reading: June 27, 2023
Third Reading: July 25, 2023

ATTEST: 0

APPROVED: 6

Katrina Washington, Fiscal Officer

Scott Garrett, Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

Katrina Washington, Fiscal Officer

APPROVED AS TO FORM:

Thomas Reitz, Solicitor

Exhibit A

1139.99 PENALTY

Whoever violates any provision of this Code is guilty of a misdemeanor of the third degree on the first offense, the penalty for which shall be a maximum fine of five hundred dollars (\$500.00) and imprisonment for a maximum period of sixty days, or both. Each day of violation of a provision of this Code is a separate offense. Each subsequent violation within two years of previously being convicted of or pleading guilty to the same provision of this Code shall be a misdemeanor of the first degree which shall be punishable by a maximum fine of one thousand dollars (\$1,000) and imprisonment for a maximum of six months, or both.