

Ordinance No. 2012- 43

An Ordinance amending the Village Zoning Ordinance by adding a Religious and Charitable Use to the Commercial-2 District.

Whereas, on October 1, 2012, at its regular meeting, the Planning Commission recommended that Council amend Section 1179.02(a) of the Village Zoning Code to add the use of religious and charitable organizations as sub-paragraph (11); and

Whereas, in accordance with the Windham Codified Ordinances § 1147.01, on October 23, 2012, Council, 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 § 1147.01; and

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

Whereas, on November 27, 2012, at least thirty (30) days after the date of the first publication of notice in the Record Courier, Council held a public hearing on the proposed amendment; and

Whereas, Council has considered the recommendation of the Planning Commission and after the public hearing desires to amend the zoning ordinance and map as recommended.

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

SECTION 1: That section 1179.02(a) of the Windham Village Codified Zoning Ordinance be and hereby is amended by addition of the following sub-paragraph:

(11) Religious and Charitable Institutions.

SECTION 2: That this ordinance is adopted pursuant to the Village's home rule powers under Article XVIII, Section 3 of the Ohio Constitution and is expressly intended to supercede any provisions of the Ohio Revised Code in conflict with its provisions.

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: October 23, 2012

Second Reading: November 27, 2012

Third Reading: December 18, 2012

PASSED IN COUNCIL this 18th day of December, 2012.

Vote of Council: Ayes: Mr. Snyder, Mrs. Barrett, Ms. Blewitt, Mr. Garrett, Mrs. Miranda, Mrs. Prem Nays: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert Donham, II, Mayor

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

Lloyd Billman, Fiscal Officer

APPROVED AS TO FORM:

Thomas Reitz, Solicitor