

**ORDINANCE NO. 2016- 26**  
**INTRODUCED BY: MAYOR & COUNCIL**

3928

**AN ORDINANCE  
REPEALING ORDINANCE NO. 2015-41 AND WITHDRAWING  
A SUBMITTAL TO THE ELECTORS OF THE VILLAGE OF  
CHAGRIN FALLS FOR A PROPOSAL TO AUTHORIZE THE  
DESIGN, CONSTRUCTION AND MAINTENANCE OF  
PARKING FACILITIES ON A PORTION OF RIVERSIDE  
PARK.**

WHEREAS, on October 26, 2015 the Chagrin Falls Village Council adopted Ordinance No. 2015-41, which was approved by the Mayor of the Village of Chagrin Falls on October 27, 2015, which Ordinance submitted to a vote of the qualified electors of the Village of Chagrin Falls at the November 8, 2016 general election a resolution which would have determined whether or not the Village should design, construct and maintain a parking lot on certain parcels of property in Riverside Park shown on a map appended to Ordinance No. 2015-41 as Exhibit "A" and known as Cuyahoga County Permanent Parcel Nos. 931-13-038, 931-13-039, 931-13-040 and 931-13-041 with the cost of the construction and maintenance of such improvements be paid for exclusively by parking revenues collected by the Village; and

WHEREAS, the Council has determined that it is appropriate to remove the ballot issue described in Ordinance No. 2015-41 from consideration at the November 8, 2016 general election and to repeal Ordinance No. 2015-41.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF  
CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That Ordinance No. 2015-41 is hereby repealed in its entirety and the Council hereby withdraws from consideration by the voters of the Village at the November 8, 2016 general election, Ordinance No. 2015-41's proposed ballot issue.

SECTION 2. The proposed ballot language set forth in Section 2 of Ordinance No. 2015-41 shall not be placed on the ballot for consideration by the qualified electors of the Village of Chagrin Falls at the November 8, 2016 general election and the Clerk of Council shall forthwith notify the Cuyahoga Board of Elections not to place the issue for consideration by the qualified electors of the Village of Chagrin Falls at the November 8, 2016 general election. The Clerk is authorized and directed to submit a certified copy of this Ordinance repealing Ordinance No. 2015-41 to the Cuyahoga County Board of Elections.

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SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

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

PASSED: June 13, 2016

  
Karl Maersch, Council President

Submitted to the Mayor for  
his approval on this

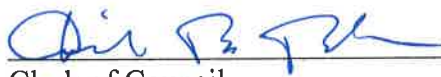
14 day of June, 2016

Approved by the Mayor

June 14, 2016

  
Mayor William Tomko

I hereby certify that Ordinance No. 2016-26 was duly enacted on the 13 day of June, 2016, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

  
Clerk of Council