

**ORDINANCE NO.: 2019-33
INTRODUCED BY: MAYOR & COUNCIL**

4192

**AN ORDINANCE
AMENDING SECTIONS 137.01 AND 137.02 OF THE
CODIFIED ORDINANCES TO CONFORM THE
ARCHITECTURAL BOARD OF REVIEW MEMBERSHIP
TO THE CHAGRIN FALLS VILLAGE CHARTER.**

WHEREAS, Article VII, Section 9 of the Charter of the Village of Chagrin Falls has been amended to provide for alternate members of the Board; and

WHEREAS, the Village wishes to implement the recent changes to Article VII, Section 9 to specify the requirements for registered architects to serve as members or alternate members of the Architectural Board of Review.

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

SECTION 1. Section 137.01 of the Codified Ordinances is hereby amended in its entirety to read as follows:

137.01 Board Appointments, Terms and Vacancies.
Pursuant to Article VII, Section 9 of the Charter of the Village of Chagrin Falls, the Architectural Board of Review shall consist of three voting members and two architect advisors appointed by the Mayor and confirmed by Council for three-year terms. Vacancies shall be filled for the remainder of unexpired terms in the same manner as the original appointment. The Mayor shall appoint up to three alternate members who shall be confirmed by majority vote of the members of Council for three-year terms. Alternate members shall serve whenever one or more regular members are unable to hear a particular matter or are unavailable for a particular meeting. The alternate members shall either be residents of the Village or registered architects in the State of Ohio, including architects who were previously licensed for ten years or more who are retired and are registered as emeritus architects. In the event of the absence of an architect member or if a conflict arises and such member must not hear a matter

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pending before the Architectural Board of Review, then the alternate member appointment preference for a particular matter or meeting shall be for any alternate member who is a registered architect.

SECTION 2. Section 137.01 of the Codified Ordinances, the full text of which follows is hereby repealed:

137.01 Board Appointments, Terms and Vacancies.
Pursuant to Article VII, Section 9 of the Charter of the Village of Chagrin Falls, the Architectural Board of Review which shall consist of three voting members and two architect advisors appointed by the Mayor and confirmed by Council for three-year terms. Vacancies shall be filled for the remained of unexpired terms in the same manner as the original appointments.

SECTION 3. As amended, Section 137.01 with strikeouts for deletions and underlining for additions reads in its entirety as follows:

137.01 Board Appointment, Terms and Vacancies.
Pursuant to Article VII, Section 9 of the Charter of the Village of Chagrin Falls, the Architectural Board of Review ~~which~~ shall consist of three voting members and two architect advisors appointed by the Mayor and confirmed by Council for three-year terms. Vacancies shall be filled for the remained of unexpired terms in the same manner as the original appointments. The Mayor shall appoint up to three alternate members who shall be confirmed by majority vote of the members of Council for three-year terms. Alternate members shall serve whenever one or more regular members are unable to hear a particular matter or are unavailable for a particular meeting. The alternate members shall either be residents of the Village or registered architects in the State of Ohio, including architects who were previously licensed for ten years or more who are retired and are registered as emeritus architects. In the event of the absence of an architect member or if a conflict arises and such member must not hear a matter pending before the Architectural Board of Review, then the alternate member appointment preference for a particular matter or meeting shall be for any alternate member who is a registered architect.

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SECTION 4. Section 137.02 of the Codified Ordinances is hereby amended in its entirety to read as follows:

137.02 Membership.

The two architect advisors and at least one voting regular member of the Architectural Board of Review, shall be architects, duly registered, and either currently licensed or previously licensed to practice architecture in and under the laws of the State of Ohio, which may include a registered emeritus architect and shall have been actively engaged in the general practice of architecture as registered architects in the State of Ohio for a period of not less than three years prior to their appointment to the Architectural Board of Review, but such three year period shall not be required to be immediately before the time of appointment. The architect member(s) and the architect advisors may reside outside the Village. Two members of the Architectural Board of Review will be residents and need not be architects. The two architect advisors shall serve in an advisory capacity only and shall not vote or exercise any authority of the Village.

SECTION 5. Section 137.02 of the Codified Ordinances, the full text of which follows is hereby repealed:

Section 137.02 Membership.

The two architect advisors and at least one voting member of the Architectural Board of Review shall be architects, duly registered and authorized to practice architecture in an under the laws of the State of Ohio, and shall have been actively engaged, in the general practice of architecture as registered architects in the State for a period of not less than three years prior to their appointment to the Architectural Board of Review. The architect member and the architect advisors may reside outside the Village. Two members of the Architectural Board of Review shall be residents of the Village and need not be architects. The two architect advisors shall serve in an advisory capacity, only, and shall not vote or exercise any authority of the Village.

SECTION 6. As amended, Section 137.02 with strikeouts for deletions and underlining for additions reads in its entirety as follows:

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Section 137.02 Membership.

The two architect advisors and at least one voting regular member of the Architectural Board of Review, shall be architects, duly registered, and either currently licensed or previously licensed to practice ~~authorized to practice~~ architecture in an under the laws of the State of Ohio, which may include a registered emeritus architect and shall have been actively engaged, in the general practice of architecture as registered architects in the State of Ohio for a period of not less than three years prior to their appointment to the Architectural Board of Review, but such three year period shall not be required to be immediately before the time of appointment. The architect member(s) and the architect advisors may reside outside the Village. Two members of the Architectural Board of Review shall be residents ~~of the Village~~ and need not be architects. The two architect advisors shall serve in an advisory capacity only; and shall not vote or exercise any authority of the Village.

SECTION 7. 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 8. 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 9. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: April 22, 2019



Nancy Rogoff, Council President

Submitted to the Mayor for
his approval on this

23rd day of April, 2019

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Approved by the Mayor

April 23rd, 2019



Mayor William Tomko

I hereby certify that Ordinance No. 2019-33 was duly enacted on the 22nd day of April, 2019, 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