

ORDINANCE NO.: 2019-34
INTRODUCED BY: MAYOR & COUNCIL

4193

**AN ORDINANCE
AMENDING SECTION 136.01 OF THE CODIFIED
ORDINANCES TO CONFORM THE BOARD OF ZONING
APPEALS MEMBERSHIP TO THE CHAGRIN FALLS
VILLAGE CHARTER.**

WHEREAS, Article VII, Section 5 of the Charter of the Village of Chagrin Falls has been amended to provide for alternate members of the Board of Zoning Appeals; and

WHEREAS, the Village wishes to implement the recent change to Article VII, Section 5 to provide for the appointment of up to three alternate members of the Board of Zoning Appeals.

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

SECTION 1. Section 136.01 of the Codified Ordinances is hereby amended in its entirety to read as follows:

136.01 Establishment; Members.

There is hereby created a Board of Zoning Appeals which shall consist of one member of Council selected by Council annually, who does not simultaneously hold an appointment to the Planning Commission, and four electors of the Municipality, none of whom shall hold any other municipal office or appointment in the Village of Chagrin Falls, to be appointed for terms of four years by the Mayor, subject to the confirmation by a majority vote of the members of Council. Those members in office on the effective date of this provisions shall be permitted to complete their term of appointment, even if they are in contravention of this section.

Up to three alternate members of the Board of Zoning Appeals may be appointed by the Mayor and confirmed by a majority vote of the members of Council. The alternate members shall serve whenever one or more members are unable to hear a

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particular matter, or are unavailable for a particular meeting. None of the alternate members shall be members of Council and shall not simultaneously hold an appointment to the Planning Commission, but shall be electors of the municipality and shall not hold any other municipal officer appointment in the Village of Chagrin Falls. Each alternate member shall be appointed for a term of four years.

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment, including appointment of alternate members.

SECTION 2. Section 136.01 of the Codified Ordinances, the full text of which follows is hereby repealed:

136.01 Establishment; Members.

There is hereby created a Board of Zoning Appeals which shall consist of one member of Council selected by Council annually, who does not simultaneously hold an appointment to the Planning Commission, and four electors of the Municipality, none of whom shall hold any other municipal office or appointment in the Village of Chagrin Falls, to be appointed for terms of four years by the Mayor, subject to the confirmation by a majority vote of the members of Council. Those members in office on the effective date of this provisions shall be permitted to complete their term of appointment, even if they are in contravention of this section.

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

SECTION 3. As amended, Section 136.01 with strikeouts for deletions and underlining for additions reads in its entirety as follows:

136.01 Establishment; Members.

There is hereby created a Board of Zoning Appeals which shall consist of one member of Council selected by Council annually, who does not simultaneously hold an appointment to the Planning Commission, and four electors of the Municipality, none of whom shall hold any other municipal office or

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office or appointment in the Village of Chagrin Falls, to be appointed for terms of four years by the Mayor, subject to the confirmation by a majority vote of the members of Council. Those members in office on the effective date of this provisions shall be permitted to complete their term of appointment, even if they are in contravention of this section.

Up to three alternate members of the Board of Zoning Appeals may be appointed by the Mayor and confirmed by a majority vote of the members of Council. The alternate members shall serve whenever one or more members are unable to hear a particular matter, or are unavailable for a particular meeting. None of the alternate members shall be members of Council and shall not simultaneously hold an appointment to the Planning Commission, but shall be electors of the municipality and shall not hold any other municipal officer appointment in the Village of Chagrin Falls. Each alternate member shall be appointed for a term of four years.

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment, including appointment of alternate members.

SECTION 4. 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 5. 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 6. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

PASSED: April 22nd, 2019



Nancy Rogoff, Council President

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Submitted to the Mayor for
his approval on this

23rd day of April, 2019

Approved by the Mayor

April 23rd, 2019



Mayor William Tomko

I hereby certify that Ordinance No. 2019-34 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