

**ORDINANCE NO. 2020-10
INTRODUCED BY: Rogoff**

**AN ORDINANCE
AMENDING THE PLANNING AND ZONING CODE OF
THE VILLAGE OF CHAGRIN FALLS AND REPEALING
SECTION 1148.03(c)(3) AND ADDING SECTION
1148.03(d)(3)**

WHEREAS, the Council adopted comprehensive changes to the Planning and Zoning Code for the Village of Chagrin Falls and directed the Planning and Zoning Commission to reconcile certain errors and minor changes that needed to be made to the Planning and Zoning Code; and

WHEREAS, the Planning and Zoning Commission, at their January 20, 2020 meeting determined that an error was made in the comprehensive changes to the Planning and Zoning Code and that a subsection of the Planning and Zoning Code was placed in the wrong subsection of 1148.03;

WHEREAS, Council has held a public hearing on March 9, 2020 on this ordinance; and

WHEREAS, Council desires to enact the foregoing amendments to the Planning and Zoning Code repealing Section 1148.03(c)(3) and adding Section 1148.03(d)(3) based, in part, upon the recommendations of the Planning and Zoning Commission.

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

SECTION 1. Planning and Zoning Code Section 1148.03(c)(3), the full text of which follows is hereby repealed:

- (3) Retaining walls constructed of plain concrete masonry unit blocks without aesthetic additive such as exposed aggregate or thoroughly blended coloration.

SECTION 2. Section 1148.03(d) of the Planning and Zoning Code is hereby amended to add subsection (d)(3), which reads as follows:

- (d)(3) Retaining walls constructed of plain concrete masonry unit blocks without aesthetic additive such as exposed aggregate or thoroughly blended coloration.

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SECTION 3. The existing Section 1148.03(c)(3), to the extent inconsistent with the newly enacted provisions herein and any other Ordinance in conflict with this Ordinance is hereby repealed, except to the extent such code section is the subject of an enforcement action it shall be considered effective for the purposes of enforcement for any violations that occurred prior to repeal.

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: March 09, 2020



Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

10th day of March, 2020


Approved by the Mayor

March 10, 2020



Mayor, William Tomko

I hereby certify that Ordinance No. 2020-10 was duly enacted on the 10th day of March, 2020, 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, David Bloom