

ORDINANCE OF THE COUNCIL OF THE CITY OF MARION
OHIO, UTILIZING AUTHORITIES GRANTED BY OHIO REVISED
CODE, REPLACING THE BOARD OF ZONING APPEALS WITH
CITY PLANNING COMMISSION, AMENDING ALL NECESSARY
CODIFIED ORDINANCES/ RESOLUTIONS IT HAVING
DETERMINED A REAL AND PRESENT NEED TO FURTHER
STREAM LINE LOCAL GOVERNMENT AND DECLARING AN
EMERGENCY

Whereas, the Council for the City of Marion, Ohio and the City's Administration have observed a real and present need to further streamline and refine local government processes, and

Whereas, there is determined to be a real and present need to replace the current Board of Zoning Appeals with the ORC statutory authority passing to the City Planning Commission, and

Whereas, the Council has determined the people of the City of Marion are best served by enabling the aforementioned change to better serve and streamline local government,

BE IT ORDAINED by the Council of the City of Marion, Marion County, Ohio:

Section 1. Council finds it in the best interest of the citizens of Marion to replace the Board of Zoning Appeals, utilizing all authorities provided the municipality under Ohio Revised Code, as same is found to be a real and present need for the benefit of the City and its inhabitants. This determination based upon Councilmembers investigation and findings, personal observations and debate in regard to the present need to enhance local government processes.

Section 2. Council hereby amends all prior adopted Ordinances, Resolutions, including but not limited to all Codified Ordinances to accomplish the end result determined by it to be necessary at this time. To wit, every prior reference, power, authority, charge, grant, obligation or responsibility previously placed with the Board of Zoning Appeals shall be transferred, bestowed, obligated, enabled, passed, placed with the City of Marion Ohio Planning Commission. All reference previously made to the Board of Zoning Appeals shall upon the effective date of this Ordinance be replaced with: City of Marion Planning Commission. Any Ordinance or Resolution contrary to the intended end contained herein shall be repealed or replaced with the authority contained herein, without limitation. The Clerk shall modify all necessary section of Marion's Codified Code to conform herewith, with the assistance of the City Law Director.

Section 3. Council further finds it necessary to re-constitute the current City Planning Commission, currently made up of:

By replacing said membership with:

Here are the ORC parameters to work with for further refinement by the Mayor and Clerk of Council:

ity planning commission of seven members, consisting of the mayor, the director of public service, the president of the board of park commissioners, two citizens of the municipal corporation, and two public members who shall serve without compensation and shall be appointed by the mayor for terms of six years each, except that the term of two of the members of the first commission shall be for three years. The legislative authority may, by resolution, change the number of citizen members to an even number of members, not less than four nor more than twelve.

Section 4. Authorities enabling this determination and action can be found in, but are not limited to, to any extent: ORC 713.11 et al ; ORC 713.11, in relevant part: “ *...Such administrative powers and functions may be delegated by the legislative authority to the planning commission or board.*”; Including, but not limited to 713.15.:

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its’ inhabitants thereof; given the declaration as determined after debate by the Council to be a real and present need for the benefit of the health, welfare, regulation and local , enforcement/police power of the residents of the City of Marion, Ohio; and as such shall take effect and be in force immediately upon its’ passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all member elected to Council, otherwise it shall become effective from and after the earliest period allowed by law.

Approved:

President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council