

ORDINANCE NO. 64-1990

Offered by Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF RICHFIELD THE QUESTION OF WHETHER ARTICLE IV, SECTION 4.12 SHALL BE AMENDED TO PROVIDE FOR AUTOMATIC REFERENDUM OF CERTAIN ZONING LEGISLATION AND DECLARING AN EMERGENCY

WHEREAS, a Charter Review Commission has been created; and

WHEREAS, the Charter Review Commission has recommended that Article IV, Section 4.12 be amended as hereinafter provided; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter, the Council of the Village of Richfield has by a vote of two-thirds of its members determined to submit the proposed amendment to the Charter to the electors; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter of the Village of Richfield and Article XVIII, Section 8 of the Constitution of Ohio, the Council has determined to submit the proposed Charter amendment at the general election to be held on November 6, 1990.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio, by the vote of two-thirds of its members:

SECTION 1: That this Council hereby authorizes and directs the submission to the electors of the Village of Richfield at the general election to be held on November 6, 1990 a proposal to amend the Charter of the Village of Richfield by amending Article IV, Section 4.12 to read as follows:

"ARTICLE IV
Council

Section 4.12 Effective Date of Ordinances and Resolutions

A. Each ordinance or resolution providing for (a) the appropriation of money; (b) an annual tax levy; (c) improvements petitioned for by the owners of a majority of the foot frontage of the property

benefitted and to be specially assessed therefor; and (d) any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health or safety, shall take effect, unless a later time be specified therein, upon its approval by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be. All other ordinances and resolutions shall take effect and be operative in the manner provided by the general laws of the State of Ohio. Each emergency measure shall contain a statement of the necessity for such emergency action and shall require the affirmative vote of two-thirds (2/3) of the members elected or appointed to Council for its enactment. No ordinance or resolution (a) relating to any changes in the boundaries or the zoning ordinances of the Municipality, (b) providing for the surrender or joint exercise of any of its powers, (c) granting any franchise, or (d) contracting for the supply to the Municipality or its inhabitants of the product or service of any utility, whether municipally owned or not, shall be enacted as an emergency measure.

B. The following legislation shall not become effective until it is approved by a majority of the electors of the municipality voting thereon at the next general, regular municipal, special or primary election occurring not less than sixty (60) days after passage of such legislation by Council:

- (1) Legislation providing for a change in the use district classification of lands from a Residential use to Commercial or Industrial use where the area of the proposed change is greater than an existing lot of record or one acre, whichever is less.
- (2) Legislation providing for a zoning change of lands from a single family residential district zoning classification to a multi-family residential district zoning classification.
- (3) Legislation providing for a zoning change of lands to a single-family residence district zoning classification which permits lots of less than one (1) acre."

SECTION 2: That the foregoing proposed amendment shall be voted on at the general election to be held on November 6, 1990 as above provided, and if approved by a majority

of the electors voting thereon at such election shall become effective from and after the time of its approval by the electors.

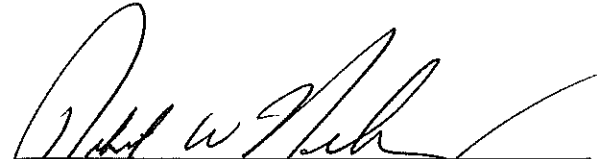
SECTION 3: That, provided the foregoing proposed amendment is approved by a majority of the electors voting thereon at such election, any provisions of the Richfield Charter inconsistent therewith be, and the same hereby are, repealed.

SECTION 4: That the Clerk of Council is hereby authorized and directed to cause a copy of the proposed Charter amendment to be published in accordance with the provisions contained in Ohio Revised Code Section 731.211(B).

SECTION 5: That the Clerk of Council be, and she hereby is, authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Summit County, Ohio and to request the Board of Elections to place this issue on the ballot at the general election to be held in the Village of Richfield on November 6, 1990.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety for the reason to be forwarded to the Summit County Board of Elections to be voted upon by the electors on November 6, 1990 and provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: 8/21/90



President of Council



Mayor

Dated: 8/23/90

ATTEST:



Clerk of Council