

AN ORDINANCE EXTENDING THE MORATORIUM ON THE ENFORCEMENT OF CODIFIED ORDINANCE SECTION 1216.06(a) FOR AN ADDITIONAL 90 DAYS AND DECLARING AN EMERGENCY.

WHEREAS, that Planning and Zoning Code Section 1216.06(a) restricts agricultural uses to the raising of crops and livestock limited to animals identified in Table 1216-4 and excluding roosters; and

WHEREAS, the minimum lot area for the use-specific standards to raise livestock is five acres; and

WHEREAS, there are many residents in the City who desire to raise chickens on their property that is below the minimum use-specific standard of five acres; and

WHEREAS, that by Ordinance No. 23-85 Council declared a moratorium on the enforcement of the Planning and Zoning Code Section 1216.06(a) and requests an additional 90 days to review the applicable codes to formulate a response for potential amendments to the code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the moratorium approved by Council by Ordinance No. 23-85 on May 9, 2023 is hereby extended for an additional 90 days.

Section No. 2: That the Clerk of Council is hereby directed to forward a copy of this legislation to the Code Administrator and any Committee appointed by Council for review of this legislation.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare, and for the further reason that it is immediately necessary to protect the planning process. Therefore this Ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: 7/10/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 7/14/2023

APPROVED: 7/11/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor