

ORDINANCE NO. 75-15

**AN ORDINANCE ADOPTING CHAPTER 1051 OF THE CODIFIED ORDINANCES
OF THE CITY OF AVON TO ESTABLISH RIPARIAN ZONES
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon, under a year old moratorium on development, has been studying the effects of the May 12, 2014 flood that severely impacted property owners in the southeast quadrant of the City; and

WHEREAS, with the first phase of the study complete, Chagrin Valley Engineering (CVE) has prepared various amendments to the City's stormwater regulations in an effort to mitigate the effects of future storms on new and existing property owners within the southeast quadrant and throughout the City; and

WHEREAS, Council has had an opportunity to review the proposed legislation developed by CVE together with the City's Law Director and finds that said legislation is needed to alleviate flooding or the effects of flooding within the community all of which is in the best interests of the health, safety and welfare of all property owners and residents of the City of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the proposed Chapter 1051 entitled "Establishment of Riparian Zones" be and the same is hereby adopted in its entirety as set forth in the attached Exhibit A which incorporated herein by this reference.

Section 2 - That the Codifier is hereby instructed to create and insert Chapter 1051 immediately following Chapter 1050 in the Avon Codified Ordinances in a manner similar to that as set forth in Exhibit A.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that 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 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to establish riparian zones and lift the City's moratorium on construction as soon as possible in the affected area; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

Ordinance No. 75-15 (Con't.)

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director