

ORDINANCE NO. 59-23

**AN ORDINANCE AMENDING SECTION 1222.02
OF THE AVON CODIFIED ORDINANCES TO DEFINE
TERMS RELATED TO FARMING AND LIVESTOCK**

WHEREAS, the City of Avon is a chartered municipal corporation validly organized and existing under the Constitution and laws of the state of Ohio, and as such may regulate the keeping of livestock, poultry, rabbits, etc. within the City; and

WHEREAS, the regulations set forth herein reflect the City's acknowledgment that keeping livestock, poultry, rabbits, etc. within the City is, under certain conditions, is incompatible with adjoining permitted and special uses; and

WHEREAS, the current provisions of the Codified Ordinances with regard to the regulation of livestock, poultry, rabbits, etc. should be harmonized with the permitted and special uses in each zoning district set forth in the City's Planning and Zoning Code; and

WHEREAS, on April 19, 2023, by a vote of four (4) in favor and zero (0) opposed, Planning Commission recommended approval of the amendments to Section 1222.02 of the Planning and Zoning Code; and

WHEREAS, Council, on April 24, 2023, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on May 22, 2023 at 7:25 PM; and

WHEREAS, this Council believes that this ordinance will achieve the proper balance between these interests and that passage of same will promote the health, safety and welfare of all citizens of Avon. Furthermore, the existing property owners will not be denied any economically viable use of their property because this ordinance is intended to be prospectively applied; and

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

Section 1 – That the provisions of Section 1222.02, entitled "Definitions" shall be amended to read as set forth in the new Section 1222.02 which is attached hereto as [Exhibit "A"](#) and incorporated herein by this reference.

Section 2 – That the Codifier is hereby instructed to insert new Section 1222.02 as contained in Exhibit A of this legislation in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in Section 1222.02 not specifically amended herein shall remain in full force and effect.

Section 3 – That wherever the provisions of this Ordinance conflict with any other ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

Section 4 – 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 5 – That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading _____

Second Reading _____

Third Reading _____

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

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