

ORDINANCE NO. 71-23

**AN ORDINANCE AUTHORIZING AN EXTENSION OF TIME
WITHIN WHICH TO COMPLETE IMPROVEMENTS IN
CONCORD VILLAGE SUBDIVISION NO. 3
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Ord. No. 42-22, passed on April 25, 2023, Council authorized the City to enter into a Development Agreement for the installation of improvements in Concord Village Subdivision No. 3 with Concord Village Phase Two, LLC; and

WHEREAS, due to unforeseen events and through no fault of their own, the Developer was not able to install said improvements as per the twelve (12) month deadline of May 25, 2023, and hereby requests an extension of one (1) year to May 25, 2024 within which to complete said construction; and

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the community to extend the time for installation of improvements to May 25, 2024.

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

Section 1 - That Council hereby agrees to extend the time within which to complete installation of improvements by Concord Village Phase Two, LLC, within the Concord Village Subdivision No. 3 to May 25, 2024. (See Concord Village Phase Two, LLC's request attached hereto as [Exhibit A](#).)

Section 2 - 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 3 - 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 approve an extension of time within which to complete improvements in Concord Village Subdivision No. 3; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

Ordinance No. 71-23 (Con't)

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