

ORDINANCE NO. 9-16

To Amend Article III, Section 3.02.03 of the Planning and Zoning Code of the Village of Thornville, Ohio.

WHEREAS, the Council of the Village of Thornville, Ohio, has determined that it is necessary to update the Planning and Zoning Code of the Village in order to better protect the general health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THORNVILLE, OHIO, THAT:

Section 1. Existing Article III, Section 3.02.03 is hereby amended:

Section 3.02.03 Duties of Zoning Inspector

The Zoning Inspector shall have the following duties:

A. Enforce the provisions of the Planning and Zoning Code and any provision of the Codified Ordinances and the Ohio Basic Code, as adopted by the Village, that the Zoning Inspector is qualified to enforce under Ohio and federal law. The Zoning Inspector shall take such steps as may be necessary to remedy conditions found in violation of those provisions. Such steps include issuing citations of violations of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code.

1. Contents of citation of violation.

Whenever the Zoning Inspector determines that there is a violation of any provision of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code, he or she shall issue a citation of violation to the owner as hereinafter provided. Such citation shall:

- (A) Be in writing;
- (B) Include a statement of the reasons why it is being issued;
- (C) Allow a reasonable time for the performance of any act it requires;
- (D) Be served by a police officer of the Village by one of the following methods:
 - (1) Personal service; or
 - (2) Certified mail; or
 - (3) Residence service; or
 - (4) Publication; or
 - (5) Regular mail service to an address that is reasonably believed to be either the owner's

- (E) Include a statement of the reasons why it is being issued;
- (C) Allow a reasonable time for the performance of any act it requires;
- (D) Be served by a police officer of the Village by one of the following methods:
 - (1) Personal service; or
 - (2) Certified mail; or
 - (3) Residence service; or
 - (4) Publication; or
 - (5) Regular mail service to an address that is reasonably believed to be either a place of residence or a location at which the owner regularly receives mail; or
 - (6) Posting the citation of violation on or in the property, except that if a structure is vacant, then the notice shall be posted on the

structure and one (1) of the above methods of service shall also be used.

Any notice served shall automatically become an order if a written petition for a hearing is not filed within twenty (20) calendar days after such notice is served.

2. Evidence of service.

Written or oral acknowledgment by the owner of receipt of a citation of violation shall be evidence that the owner received the citation of violation. An appeal of the citation of violation shall constitute evidence of written acknowledgment by the owner of service of the citation of violation.

- B. Coordinate the submittal and processing of materials as to fulfill the requirements of Articles IV-VIII of the Planning and Zoning Code.
- C. Issue zoning permits when the provisions of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code have been met, or refuse to issue same in the event of noncompliance.
- D. Report to the Planning and Zoning Board on a regular basis on development activity that has occurred in the Village.
- E. Collect the designated fees as established for zoning permits, applications for appeals and conditional uses.
- F. Make and keep all records necessary and appropriate to the office including records of issuance and denial of zoning permits and receipt of complaints of violation of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code and action taken on same.
- G. Inspect any buildings or lands to determine whether any violations of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code have been committed or exist.
- H. Advise the Planning and Zoning Board of other matters pertaining to the enforcement of and amendments to the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code .
- I. Other duties directly pertaining to the enforcement of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code that may be assigned by Village Council.

Section 2. All previous existing sections inconsistent with the revisions above are hereby repealed.

Section 3.

- F. Make and keep all records necessary and appropriate to the office including records of issuance and denial of zoning permits and receipt of complaints of violation of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code and action taken on same.
- G. Inspect any buildings or lands to determine whether any violations of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code have been committed or exist.
- H. Advise the Planning and Zoning Board of other matters pertaining to the enforcement of and amendments to the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code .
- I. Other duties directly pertaining to the enforcement of the Planning and Zoning Code and/or the Codified Ordinances of the Village and/or the Ohio Basic Code that may be assigned by Village Council.

Section 2. All previous existing sections inconsistent with the revisions above are hereby repealed.

Section 3.

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare. The reason for such necessity is that upon information and belief one or more buildings, structures, and/or parcels of real property located within the Village currently are in violation of provisions of the Planning and Zoning Code of the Village and/or the Codified Ordinances of the Village and/or the Ohio Basic Code. The purpose of this ordinance is to clarify the duties of the Zoning Inspector and ensure that

Zoning Inspector may carry out his duties in a prompt, orderly, and fair manner. Therefore this ordinance shall go into immediate effect.

Passed this 28th day of September, 2009.

ATTEST:

Sandy Davis
Sandy Davis, Clerk of Council

Beth A. Patrick
Beth A. Patrick, Mayor

APPROVED AS TO FORM:

D. Michael Crites, Solicitor