

ORDINANCE NO. 2014-73
INTRODUCED BY: COUNCILMAN PATRICK A. WARD

**AN ORDINANCE DETERMINING TO ESTABLISH
A MINIMUM DISTANCE BETWEEN ANY
ASSISTED LIVING FACILITY, GROUP
RESIDENTIAL FACILITY, GROUP HOME OR
COMMUNITY HOME IN THE CITY, AND
DECLARING AN EMERGENCY**

WHEREAS, the operation of Assisted Living Facilities, Group Residential Facilities, Group Homes and Community Homes in the City has increased; and

WHEREAS, it is necessary to establish regulations regarding such facilities to protect the health, welfare and safety of the occupants, the first responders and other residents of the City of Lyndhurst; and

WHEREAS, Council has initiated a study of such facilities to determine what regulations are necessary in order to preserve the public health, welfare and safety, as is required of this Council by the State Law, the Charter of the City and the Codified Ordinances of the City; and

WHEREAS, Section 1160.03 of the Codified Ordinances already sets a minimum distance between certain group living facilities; and

WHEREAS, Council has determined to clarify the minimum distance within which such facilities may be operated while such review is conducted, subject to further review by this Council. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. Any prior Ordinance to the contrary notwithstanding, this Council determines that no Assisted Living Facility, Group Residential Facility, Adult Group Home or Community Home shall be established in this City in any location which is within 1000 feet of the real property upon which another such facility is situated.

SECTION 2. This restriction shall remain in place until further review by the Council of the City of Lyndhurst.

SECTION 3. This Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be any emergency measure necessary for the preservation of the public peace, health and safety of the residents of the City of Lyndhurst for the reason that reasonable distances between such group facilities should be established immediately. It shall therefore take effect immediately upon its passage and approved by the Mayor, otherwise at the earliest time allowed by law.

PASSED: _____ November 3, 2014

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on _____
Novmeber 13, 2014 and November 20, 2014.

Clerk of Council

First Reading: November 3, 2014

Second Reading: Suspended

Third Reading: Suspended

Passed 11-3-2014