

ORDINANCE NO. 2015-111
INTRODUCED BY: COUNCILMEMBER PATRICK A. WARD

AN ORDINANCE MODIFYING ORDINANCE NO. 2015-93
REGARDING THE TEMPORARY MORATORIUM ON
THE GRANTING OF PERMITS FOR FENCES, AND
DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 2015-93, enacted October 19, 2015, placed a temporary moratorium on the granting of any permits for fences in excess of four (4) feet in height in the City; and

WHEREAS, Council wishes to modify said Ordinance to permit the construction of fences in excess of four (4) feet in height in the City under certain circumstances. Now, therefore,

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

SECTION 1. Council hereby modifies Ordinance No. 2015-93, enacted October 19, 2015, to allow fences in excess of four (4) feet in height, and six (6) feet high or less, provided said fence is at least fifty percent open/board-on-board construction.

SECTION 2. The Building Department is hereby directed to refrain from granting any permit for a fence in excess of four (4) feet in height, and six (6) feet in height or less, during the effective period of the moratorium which does not meet the board-on-board standard.

SECTION 3. The 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 an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to modify the moratorium immediately so as not to mislead any potential permit applicants. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: _____ December 7, 2015 _____

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 December 17, 2015 and December 24, 2015.

Clerk of Council

First Reading: December 7, 2015

Second Reading: Suspended

Third Reading: Suspended

Passed 12-7-2015