



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

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The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, MMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

ORDINANCE(S)

5408-2016 AN ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE FOR THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, IN ORDER TO ALLOW COUNCIL AND THE PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE PLANNING AND ZONING CODE RELATIVE TO SUCH USE.

WHEREAS, on June 8, 2016, the Ohio General Assembly adopted and the Governor signed into law 131 Sub. H.B. 523, which became effective on September 8, 2016; and

WHEREAS, 131 Sub. H.B. 523, among other things, permits patients in Ohio to use medical marijuana on the recommendation of physicians; creates state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground or public park; and

WHEREAS, Revised Code Section 3796.29, enacted by 131 Sub. H.B. 523, allows municipalities to prohibit, or limit the number of, cultivators, processors, or retail dispensaries of medical marijuana within their corporate limits; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality including restricting areas used for businesses and trades; and

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WHEREAS, Council and the Planning Commission require additional time to undertake a review of all applicable codes statewide and within the City in order to formulate a local response to 131 Sub. H.B. 523.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Council hereby imposes a moratorium on the granting of zoning permits, building permits, or certificates of occupancy for any building, structure, use or change of use for the cultivation, processing, or retail sale of medical marijuana for a period not to exceed one hundred eighty (180) days from the effective date of this Ordinance, in order to allow Council and the Planning Commission to review applicable Ohio statutes, criminal codes and the Planning and Zoning Code relative to such use.

SECTION 2. During the period of the moratorium, no zoning permit, building permit, certificate of occupancy or any other permit shall be granted to a business for opening, using any land or devoting any floor area of the business for the purposes of the cultivation, processing, or retail sale of medical marijuana. During the period of the moratorium, no existing business in the City may establish cultivation, processing, or retail sale of medical marijuana.

SECTION 3. The moratorium shall be in effect for a period of one hundred eighty (180) days from the effective date of this Ordinance or until changes are enacted to amend the Codified Ordinances of the City of North Ridgeville to address these issues or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.

SECTION 4. For the purpose of this Ordinance, “medical marijuana” shall have the same meaning as that term is defined in Section 3796.01(A)(2) of the Ohio Revised Code, effective September 8, 2016.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5409-2016 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.15(D).

WHEREAS, the City of North Ridgeville, pursuant to O.R.C. Section 721.15(D), may sell certain personal property by Internet auction; and

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WHEREAS, North Ridgeville City Ordinance No. 4177-2005 and amending Ordinance No. 4711-09 permit the sale of City-owned personal property via Internet auction; and

WHEREAS, the Fire Department's oldest breathing air refill system is valued in excess of \$1,000.00, therefore the sale of the asset must be approved by Council; and

WHEREAS, the Fire Department has two breathing air refill systems and the oldest is costing an excessive amount of money to maintain.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. City Council finds that the old breathing air refill system no longer serves a municipal purpose and hereby approves the sale of the old breathing air refill system via Internet auction.

SECTION 2. Proceeds from the sale of the old breathing air system shall be deposited into the appropriate City fund(s).

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

RESOLUTION(S)

1396-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO HD SUPPLY WATERWORKS IN THE AMOUNT OF \$29,783.32 AND DECLARING AN EMERGENCY.

WHEREAS, O.R.C. §5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty days from receipt of a certificate of the fiscal officer in accordance with O.R.C. §5705.41 (D)(1); and

WHEREAS, the fiscal officer does certify that the expenditure was and is properly appropriated and otherwise lawful, sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, the City ordered a dozen hydrants and appurtenances from HD Supply Waterworks before the purchase order was approved. The items purchased serve a necessary public purpose.

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NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Council hereby authorizes payment to HD Supply Waterworks for the following invoice:

Invoice #G171961 \$29,783.32

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to pay the invoice for work already completed in a timely fashion. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1397-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE HUG MFG CORPORATION IN THE AMOUNT OF \$4,650.00 AND DECLARING AN EMERGENCY.

WHEREAS, O.R.C. §5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty days from receipt of a certificate of the fiscal officer in accordance with O.R.C. §5705.41 (D)(1); and

WHEREAS, the fiscal officer does certify that the expenditure was and is properly appropriated and otherwise lawful, sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, striping equipment was rented from Hug MFG Corporation for a month by the Service Dept., and serves a necessary public purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Council hereby authorizes payment to Hug MFG Corporation for the following invoice:

Invoice #8740 \$4,650.00

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in

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meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to pay the invoice for work already completed in a timely fashion. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

CITY COUNCIL MEETING DATES FOR 2016

January 4, 2016	January 19, 2016	February 1, 2016
February 16, 2016	March 7, 2016	March 21, 2016
April 4, 2016	April 18, 2016	May 2, 2016
May 16, 2016	June 6, 2016	June 20, 2016
July 5, 2016	July 18, 2016	August 1, 2016
August 15, 2016	September 6, 2016	September 19, 2016
October 3, 2016	October 17, 2016	November 7, 2016
November 21, 2016	December 5, 2016	December 19, 2016

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