

## CITY OF OBERLIN, OHIO

### ORDINANCE No. 15-39 AC CMS

AN ORDINANCE REQUIRING THE CONSTRUCTION OF A BUFFER SEPARATING THE USE OF TERRITORY IF ANNEXED FROM PITTSFIELD TOWNSHIP AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP UNDER CERTAIN CONDITIONS AS REQUIRED UNDER SECTION 709.023(C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, Jennifer A. Flint, as Agent for the Lorain County Joint Vocation School District Board of Education has petitioned the Board of Commissioners of Lorain County, Ohio to annex to the City of Oberlin certain real property being 98.37 Acres more or less located in Pittsfield Township, Ohio as more fully described in said petition hereinafter referred to as the "Territory;" and,

WHEREAS, said Petition was filed with the Board of Commissioners of Lorain County on June 24, 2015; and,

WHEREAS, Ohio Revised Code Section 729.023(C) provides that within twenty (20) days after the date that a petition for annexation is filed, the legislative authority of the municipal corporation to which the territory is proposed to be annexed, shall adopt an ordinance or resolution requiring that in the event the territory is annexed the owner of the territory so annexed to construct a buffer to separate the use of the annexed territory and the adjacent land within the township from which the territory is annexed in the event the municipality to which the territory is annexed determines that the municipal zoning permits uses that are clearly incompatible with those permitted under county or township zoning regulations in effect as of the date of the filing of the petition for annexation.

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Ohio five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1: If the Territory is annexed to the City of Oberlin and becomes subject to zoning by the City of Oberlin and if such zoning permits uses in the annexed territory that the City of Oberlin determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Pittsfield Township, the Oberlin City Council will require, in any zoning ordinance permitting the incompatible uses, the owner of the annexed Territory to provide a buffer separating the use of the annexed Territory and the adjacent land remaining within the township.

SECTION 2: That the Clerk of Council shall cause a certified copy of this Ordinance to be filed the Board of Commissioners of Lorain County, Ohio, no later than July 14, 2015.

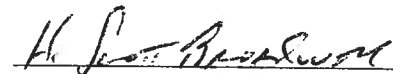
SECTION 3: It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were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

SECTION 4: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: *to submit to the Board of Commissioners of Lorain County an ordinance pursuant to Section 723.09(C) of the Ohio Revised Code within the time required by law and shall take effect immediately upon passage.*

PASSED: 1st Reading: July 13, 2015 (E)  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST:

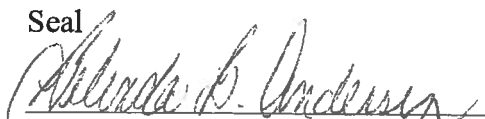
  
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BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
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H. SCOTT BROADWELL  
PRESIDENT OF COUNCIL

POSTED: 07/14/2015

EFFECTIVE DATE: 07/13/2015

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 15-39 AC CMS as passed by the Oberlin City Council.

Seal  
  
\_\_\_\_\_  
Belinda B. Anderson, MMC  
Clerk of Council, City of Oberlin, Ohio