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CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10034-2016

INTRODUCED BY: MAYOR COYNE, COUNCILMEN SALVATORE, BURGIO, SCOTT AND MENCINI and MCCORMICK

AN ORDINANCE
AMENDING SECTION 1121.15 (c)
OF THE BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'NONCONFORMING USES.'

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 1121.15(c) of the Brook Park Codified Ordinances, passed by Ordinance No. 8397-1997, passed January 27, 1998, and reading as follows:

1121.15 (c)

A nonconforming use shall be considered abandoned when the intent of the owner to discontinue the use is apparent, when it has been replaced by a conforming use or when the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within six months. Whenever the nonconforming use of a building, structure or premises has been changed to a more restricted use, the use of such building or premises may not thereafter be changed back to the previous nonconforming use.

is hereby to read:

1121.15 (c)

A nonconforming use shall be considered abandoned when the intent of the owner to discontinue the use for at least six months is apparent, when the use has been replaced by a conforming use or when the characteristic equipment and furnishings of the nonconforming use of a building structure or premises has been changed to a more restricted use, the use of such building or premises may not thereafter be changed back to the previous nonconforming use.

SECTION 2: Former Section 1121.15(c) of the Brook Park Codified Ordinances, as enacted by Ordinance No. 8397-1997, passed January 27, 1998, is hereby expressly repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and 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: This Ordinance shall take effect thirty (30) days after its approval by the Mayor or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor as the case may be.

PASSED: August 17, 2016
SPECIAL COUNCIL

[Signature]
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: [Signature]
MAYOR

8/17/2016
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

	Yea	Nay
Troyer	_____	_____
Mencini	✓ _____	_____
Powers	_____	_____
Scott	✓ _____	_____
Burgio	✓ _____	_____
McCormick	✓ _____	_____
Salvatore	✓ _____	_____

Abstain

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 10034-2016 passed on the 17th day of AUGUST 2016 by said council.

Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing August 18, 2016
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council