

AN ORDINANCE REPEALING SECTION 1206.04(b)(3), "SPECIAL EVENTS," OF THE LAND DEVELOPMENT CODE; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 16-46, this Council amended Chapter 872, "Temporary Special Events," of the Business Regulation Code of the Codified Ordinances of the City of Hudson to amend and update the City's regulations regarding temporary special events; and

WHEREAS, pursuant to Ordinance No. 16-55, this Council enacted new Chapter 874, "Mobile Food Vehicles," of the Business Regulation Code of the Codified Ordinances of the City of Hudson to establish regulations for food trucks used for temporary special events or private parties; and

WHEREAS, Section 1206.04(b)(3) of the City of Hudson Land Development Code contains other regulations regarding special events, some of which are inconsistent with those set forth in Chapter 872, "Temporary Special Events," or Chapter 874, "Mobile Food Vehicles," of the Business Regulation Code; and

WHEREAS, City staff has recommended that Section 1206.04(b)(3) of the Land Development Code be repealed due to the recent amendment of Chapter 872, "Temporary Special Events," and the enactment of new Chapter 874, "Mobile Food Vehicles" and in order to conform the City's special events regulations; and

WHEREAS, this Council has introduced the within Ordinance and referred it to the Planning Commission pursuant to its obligation under Land Development Code Section 1203.03 to follow said procedure; and

WHEREAS, the Planning Commission has submitted its recommendation to Council and Council has held its own public hearing on this Ordinance, and upon which Council determines that Section 1206.04(b)(3) of the Land Development Code should be repealed as being consistent with the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1. Section 1206.04(b)(3), "Special Events," of the Land Development Code is hereby repealed because its provisions are covered elsewhere in the Codified Ordinances of the City of Hudson, specifically Chapter 872, "Temporary Special Events", and Chapter 874, "Mobile Food Vehicles" and the remaining provisions of Section 1206.04(b)(3) shall be renumbered accordingly as follows:

“1206.04 TEMPORARY USES.

* * *

(b) *The following temporary uses may be permitted by City Council:*

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~~3. Special Events:~~

~~A. Special events shall be a permitted temporary use in the following Districts:~~

~~i. District 2 Rural Residential Conservation~~

~~ii. District 5 Village Core/Historic District~~

~~iii. District 7 Outer Village Commercial Corridor and Office Overlay Zone~~

~~iv. District 9 Darrowville Commercial Corridor~~

~~v. District 10 Ravenna Road Mixed Use Corridor~~

~~B. The term of the temporary use permit shall not exceed three (3) weeks.~~

~~C. Permitted carnivals/circuses may occur within required zone district setbacks, provided that no display shall encroach into a required setback by more than fifty (50) percent of the required setback depth and provided that no display or related equipment shall be located within a required sight triangle.~~

~~43. Temporary Housing:~~

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Section 2. 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 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that Section 1206.04(b)(3) of the Land Development Code should be repealed at the earliest time possible to avoid inconsistent regulations regarding special events in the City; wherefore, this Ordinance shall go into effect immediately upon its passage, provided it receives the affirmative vote of five (5) members of Council elected thereto, except that six (6) affirmative votes shall be required if all members of Council are present at the meeting at which it is passed; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

David A. Basil, Mayor

ATTEST:

Elizabeth A. Slagle, Clerk of Council