

ORDINANCE C - 59 - 67

AN ORDINANCE TO AUTHORIZE AND DIRECT PUBLICATION OF COPIES OF THE ORIGINAL ZONING MAP AND ALL AMENDMENTS THERETO IN THE MANNER PROVIDED BY CHARTER AND TO DECLARE AN EMERGENCY.

WHEREAS, Ordinance C-68B-60 was passed by the Council of the City of Grove City on October 2, 1961, creating and adopting a zoning map, entitled Comprehensive Zoning Map #1, dated November 1, 1960; and

WHEREAS, approval of the Grove City Planning Commission, public notice of the pendency of this ordinance and all amendments was given in accordance with R.C. 713.12 and public hearing has been accomplished on same; and

WHEREAS, original publication of the above ordinance and said map is questionable in the light of TIRPACK, Zoning Admr., Appellee, vs Maro et al., Appellants (9 Ohio App. 2d 76), dated January 11, 1967, which states, "failure to comply with the provisions of publication of entire zoning ordinance, including any map, plat or zoning plan attached to and made a part of referred to in the ordinance prevents zoning ordinance from becoming valid, effective and enforceable" . . . ; and

WHEREAS, the logic of the above case demands the map be published in accordance with one of the methods of publication, as provided by Section 2.11 of the Grove City Charter, which states: "(1) by publication, at length, one time, in a newspaper of general circulation in the city and (2) By publication, at length, in a code of revised ordinances which is made available to the public in libraries, in courts and in the clerk's office . . ." ; and

WHEREAS, due to technical problems in publishing a color map at length in a newspaper of general circulation and the impossibility of publishing a single map at several locations as provided by Section 2.11, it is necessary that copies of said original map with all revisions be published in accordance with the Charter; and

WHEREAS, to accomplish the technical problem of publishing said map it is necessary to make copies in different size, coding than the original; and

WHEREAS, said copies are in substance the same boundaries and districts as provided in the original map and amendments thereto; and

WHEREAS, such publication is immediately necessary to preserve the existing use districts and boundaries and to provide for effective zoning in order to protect the public health, safety and morals and general welfare of the citizens of Grove City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. The Clerk of the City of Grove City is hereby authorized and directed to publish a copy of the original Comprehensive Zoning Map together with all amendments and additions thereto dated November 6, 1967, which is attached hereto and made a part hereof. in accordance with the provisions of the Charter of the

SUBMITTED Nov. 6, 1967

George A. Yates
George A. Yates, President of Council

PASSED Nov. 6, 1967

Anton C. Patzer
Anton C. Patzer, Mayor

EFFECTIVE Nov. 6, 1967

Maria T. Kochensparger
Maria T. Kochensparger, Clerk of Council

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I Certify that this Ordinance is Correct as to Form.

R. E. Gunderman
R. E. Gunderman, Director of Law