

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2014-02

Passed APRIL 1ST, 2014

AN ORDINANCE AMENDING SECTION 1143.02(a), PERMITTED USES IN THE I-1, LIGHT INDUSTRIAL DISTRICT, AND SECTION 1139.02(a) PERMITTED USES IN THE HS, HIGHWAY SERVICE DISTRICT, AND DECLARING IT AN EMERGENCY.

WHEREAS, the Council of the City of Brookville, Ohio desires to amend its zoning code to establish a new permitted use in the I-1, Light Industrial District, and HS, Highway Service District, for governmentally owned or operated parks and recreation facilities, and specifically for the Montgomery County Fair facilities; and

WHEREAS, after Public Hearing on this amendment to the zoning code of the City of Brookville, Ohio as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: Section 1143.02(a) Permitted Uses for the I-1, Light Industrial District, is hereby amended to add the following permitted use:

1143.02(a)(17) Governmentally owned or operated Parks and Recreation Facilities. Recreation Facilities shall include the Montgomery County Fair Facilities and fair operation. This use shall be permitted only as a PD-Planned Development and following the requirements of Chapter 1151 and specifically Section 1151.14.

SECTION II: Section 1139.02(a) Permitted Uses for the HS, Highway Service District, is hereby amended to add the following permitted use:


1139.02(a)(21) Governmentally owned or operated Parks and Recreation Facilities. Recreation Facilities shall include the Montgomery County Fair Facilities and fair operation. This use shall be permitted only as a PD-Planned Development and following the requirements of Chapter 1151 and specifically Section 1151.14.

SECTION III: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare, and necessary for the further reasons that having the rezoning in effect at the earliest possible time is critical to achieving the complex financing necessary for the project and necessary to provide adequate time for the Montgomery County Agricultural Society to construct and open the Montgomery County Fair Facility in the City of Brookville by August 2015 for the annual County Fair.

PASSED this 1st day of April 2014.

ATTEST:


Sonja M. Keaton, Clerk

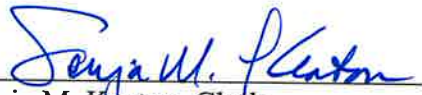

Margo Cantrell, Vice Mayor

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CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2014-02, passed by the Council of the City of Brookville, Ohio, on the 1st day of April, 2014.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2014-02 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 3rd day of April, 2014 to the 2nd day of May, 2014, both days inclusive.


Sonja M. Keaton, Clerk