

RECORD OF ORDINANCES

Ordinance No. 2023-48

Passed JULY 19, 2023

SPONSOR: PLANNING & ZONING COMMITTEE

AN ORDINANCE ADOPTING SECTION 152.037 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “EXTERIOR LIGHTING,” AND AMENDING SECTION 152.113, ENTITLED “SPECIFIC REGULATIONS PERTAINING TO CONDITIONALLY PERMITTED USES,” FOR THE PURPOSE OF PROVIDING ZONING REGULATIONS AND RESTRICTIONS ON THE USE OF EXTERIOR LIGHTING IN ALL ZONING DISTRICTS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 152 of the Village of Mogadore Codified Ordinances serves as the zoning code of the Village; and

WHEREAS, the Mayor has recommended that this Council adopt Section 152.037 of the Codified Ordinances of the Village, entitled “Exterior Lighting,” as set forth on Exhibit A, attached hereto and incorporated herein by reference, which will provide zoning regulations and restrictions on the use of exterior lighting in the Village; and

WHEREAS, the Mayor has also recommended that this Council amend Section 152.113 of the Codified Ordinances of the Village, entitled “Specific Regulations Pertaining to Conditionally Permitted Uses,” as set forth on Exhibit A, attached hereto and incorporated herein by reference, to require that all conditional uses comply with Section 152.037; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to adopt Section 152.037 and amend Section 152.113 for the reasons set forth above.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby adopts Section 152.037 of the Codified Ordinances of the Village, entitled “Exterior Lighting,” as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: This Council hereby amends Section 152.113 of the Codified Ordinances of the Village, entitled “Specific Regulations Pertaining to Conditionally Permitted Uses,” as set forth on Exhibit A, attached hereto and incorporated herein by reference.


SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

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SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately providing for zoning regulations and restrictions concerning exterior lighting in the Village to ensure orderly land use and proper aesthetics in the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Barbara Y. Van Dine 7.19.23
President Pro-Temp Date

Michael Raddish 7-19-23
Mayor Acting Date

Attest:


Clerk-Treasurer

EXHIBIT A

152.037 EXTERIOR LIGHTING.

In addition to Section 150.218 concerning the lighting and illumination of signs and billboards, Section 152.024 concerning off-street parking, and Section 152.047 concerning car lots in C-1 Commercial Districts, all external lighting in all districts shall comply with the following:

(a) All external lighting used to light the general area of a specific portion or property shall be shielded to reduce glare and shall be so arranged as to reflect lights away from, and shield glare from, and not shine directly upon, all adjacent residential districts, adjacent residences, and adjacent streets and public right of ways.

(b) All external lighting, other than lighting for the illumination of buildings or lighting and illumination of signs and billboards, shall be directed toward and confined to the ground areas of lawns or parking lots on the property where the lighting is located.

(c) All lighting used for the external illumination of buildings, so as to feature such buildings, shall be placed and shielded so as not to interfere with the vision of persons on adjacent property or adjacent streets and public right of ways.

(d) All lighting or illumination of signs and billboards shall comply with Section 150.218 of these Codified Ordinances.

152.113 SPECIFIC REGULATIONS PERTAINING TO CONDITIONALLY PERMISSIBLE USES.

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~~(E) No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.~~ All lighting shall comply with Section 152.037 of these Codified Ordinances.

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