

RECORD OF ORDINANCES

FIRST READING: AUGUST 20, 2025

Ordinance No. 2025-38Passed _____, 2025

SPONSOR: PLANNING AND ZONING

AN ORDINANCE AMENDING SECTION 152.128 OF THE CODIFIED ORDINANCES ENTITLED “ZONING PERMIT REQUIRED”, AND DECLARING AN EMERGENCY.

WHEREAS, Section 152.128 of the Codified Ordinances of the Village, entitled “Zoning Permit Required” provides for the issuance of zoning permits by the Village; and

WHEREAS, this Council desires to amend 152.128 to provide that zoning permits issued by the Village expire one year following issuance if the work permitted thereunder is not complete.

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to amend Section 152.128 of the Codified Ordinances of the Village as set forth on Exhibit A to provide for the expiration of said zoning permits issued by the Village expire one.

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 amends Section 152.1284 of the Codified Ordinances of the Village as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: 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.

SECTION 3: 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 the expiration of zoning permits one year after the same are issued in order to maintain orderly zoning within 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.

Michael Raddish, Council President Date

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Passed _____, 20 25

Michael Rick, Mayor

Date

Attest:

Scott Varney, Clerk-Treasurer

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Ordinance No. 2025-38Passed _____, 20 25**EXHIBIT A****§ 152.128 ZONING PERMIT REQUIRED.**

No building or structure shall be erected, added to, or structurally altered until a permit therefore has been issued by the Clerk-Treasurer or other duly authorized official. All applications for such permits shall be submitted by the owner or lessees of the property concerned, or an agent thereof, in such form as adopted by the village, and in accordance with the requirements of this chapter and all other ordinances pertaining thereto, and unless upon written order of the Board of Zoning Appeals, no such zoning permit or certificate shall be issued for any building where said construction, addition, or alteration of use thereof would be in violation of any of the provisions of this chapter. Further, no permits shall be issued unless the property upon which the proposed building or structure is to be erected abuts a street which has been publicly dedicated and accepted by the municipality. Additionally, no such permit shall be issued for such new buildings or structures unless the applicant therefore has obtained a right-of-way permit for sewer and water or a private septic permit, or any other items requiring road opening.

Any zoning permit issued by the Village shall expire on the one-year anniversary of the issuance if the erection, addition or alteration of a structure or building for which the permit has been issued has not been completed by that date. If the erection, addition or alteration of a structure or building for which the permit has been issued has commenced prior to the one-year anniversary of the issuance, but has not yet been completed, then the owner, lessee or agent shall not be required to re-apply for the zoning permit, shall only be required to pay an additional \$25 extension fee, and will not forfeit his or her previously paid deposit. Otherwise, the owner, lessee, or agent shall be required to re-apply and obtain a new zoning permit, pay the full application fee and deposit, and shall forfeit any previously deposited funds.