



Legislation Text

File #: O-413-19, **Version:** 1

Councilman Riley

Amending the Toledo Municipal Code by repealing Section 1111.0303, Mailed Notice; and enacting a new Toledo Municipal Code Section 1111.0303, Mailed Notice; and declaring an emergency.

SUMMARY & BACKGROUND:

City Council desires to expand the area for mailed notice by the City Plan Commission from “abutting or directly across the street” to within one-quarter mile radius.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 1111.0303 which states as follows:

1111.0303 Mailed Notice.

When the provisions of this Zoning Code require that "Mailed Notice" be provided, the City must mail notice to all owners of the subject property and all owners of property **abutting or directly across the street or place** from the subject property as required by the Revised Code Chapter 713, and as established by Plan Commission policy.

A. Ownership information is to be obtained from the county auditor's current tax list, the Treasurer's mailing list or other list that may be specified by City Council.

B. Notices must be deposited in the U.S. mail at least 20 days before the date of the City Council public hearing.

C. When required notices have been properly addressed and deposited in the mail, failure of a party to receive such notice will not be grounds to invalidate any action taken.

D. Mailed notice is not required for zoning map amendments involving more than 10 parcels of land as listed on the current tax list; however, at the discretion of the Planning Director, notice may be mailed.

is hereby repealed.

SECTION 2. That a new Toledo Municipal Code Section 1111.0303 is enacted as follows:

1111.0303 Mailed Notice.

When the provisions of this Zoning Code require that "Mailed Notice" be provided, the City must mail notice to all owners of the subject property and all owners of property **within one-quarter mile radius** from the subject property as required by the Revised Code Chapter 713, and as established by Plan Commission policy.

A. Ownership information is to be obtained from the county auditor's current tax list, the Treasurer's mailing list or other list that may be specified by City Council.

B. Notices must be deposited in the U.S. mail at least 20 days before the date of the City Council public hearing.

C. When required notices have been properly addressed and deposited in the mail, failure of a party

to receive such notice will not be grounds to invalidate any action taken.

D. Mailed notice is not required for zoning map amendments involving more than 10 parcels of land as listed on the current tax list; however, at the discretion of the Planning Director, notice may be mailed.

SECTION 3. This Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lay in the fact that same is necessary for the immediate preservation of public peace, health safety and property, and for the further reason that the area for mailed notice by the City Plan Commission needs to be expanded.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council