

**VILLAGE OF BUCKEYE LAKE, OHIO**  
**ORDINANCE NUMBER 2006-28**

AN ORDINANCE AMENDING SECTIONS 7.01 AND 7.03 OF THE CHARTER OF THE  
VILLAGE OF BUCKEYE LAKE, AND DECLARING AN EMERGENCY.

WHEREAS, Council desires to amend the Village Charter regarding vacancies, reading ordinances and resolutions, vote required for passage, and recall; and

WHEREAS, Council reviewed the proposed amendments to the Charter of the Village of Buckeye Lake and is in agreement with the proposed Revised Charter;

NOW, THEREFORE, be it ordained by the council of the Village of Buckeye Lake, County of Licking, State of Ohio, a Majority of the members concurring:

Section 1: That Article 7, Section 7.01 of the Charter of the Village of Buckeye Lake, entitled "Planning and Zoning Commission" be amended as follows:

**SECTION 7.01. Planning and Zoning Commission.**

- a) There is hereby created a Planning and Zoning Commission consisting of ~~four~~ SEVEN members, ~~two~~ THREE of whom are appointed by the Mayor, and ~~two~~ FOUR of whom are appointed by Council. ~~Four~~ SEVEN of the current members of the Board of Zoning Appeal under the general statutory plan of government, are hereby designated as the initial members of the Planning and Zoning Commission under this Charter.
- b) The members shall serve, ~~without compensation~~, until their successors are appointed and qualified. A vacancy shall be filled in like manner. The Mayor, with the concurrence of council, may at any time remove any Commissioner so appointed for malfeasance in office, having first given to such member a copy of the charges and an opportunity to be heard in person or by defense counsel before the Mayor and Council. Such removal shall be final.
- c) The purpose of this Planning and Zoning Commission is to preserve and promote the public health, safety and welfare by means of regulations and restrictions enacted to:
  - 1) encourage the orderly growth and development of the Village;
  - 2) develop and update a five-year plan for the growth and development of the Village;
  - 3) provide for adequate light, air, open space and convenience of access and protect against fire and natural hazards through planning;
  - 4) maintain and enhance the value of buildings, structures and land throughout the Village through planning; and
  - 5) make advisory recommendations concerning zoning matters as it believes to be in the best interest of the Village.
- d) In addition to the duties set forth herein, the Planning and Zoning Commission shall serve as a Board of Zoning and Building Appeals. The Board members will include the ~~four~~

SEVEN members of the Planning and Zoning Commission and the Director of Development, WHO SHALL SERVE IN AN ADVISORY CAPACITY. Except for the Development Director, no Village employee or official may serve as a Board member while so employed, elected or appointed.

- e) Said Commission shall elect one of its members to serve as Chair. He or she shall serve for a term of one year until his or her successor is elected and qualified. The Commission shall adopt rules and regulations for the government of the Commission and the Board of Zoning and Building Appeals. The rules shall provide that the Commission and the Board shall each hold, separately, at least one regular meeting each month; except the Commission, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held for either the Commission and/or the Board.
- f) Once each year, or more often if requested or required by the Mayor or Council, the Commission shall prepare and furnish a written report of the activities undertaken by the Commission and the Board during the year and the number and status of variance, building and zoning issues heard or pending in the Village.
- g) The Board of Zoning and Building Appeals shall have the power to hear and decide appeals for exceptions to and variances in the application of resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning, building and housing in the Village, as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council by Ordinance. The Board shall have such additional powers, duties and functions, relative to appeals from actions of administrative officers or employees concerning public buildings, streets or other public property or works, as provided by Ordinance or Resolution.
- h) The Commission shall have such other powers, duties and functions, consistent with this Charter as provided by the Village's Ordinances and Resolutions.

Section 2: That Article 7, Section 7.03 of the Charter of the Village of Buckeye Lake, entitled "Parks and Recreation Commission" be amended as follows:

**SECTION 7.03. Parks and Recreation Commission.**

- a) There is hereby created a Parks and Recreation Commission which shall consist of: ~~four~~ FIVE electors of the Village, two of whom will be appointed by the Mayor and ~~two~~ THREE of whom will be appointed by the Council. The members shall serve, ~~without compensation,~~ until their successors are appointed and qualified. A vacancy shall be filled in like manner. The Mayor, with the concurrence of council, may at any time remove any commissioner so appointed for malfeasance in office, having first given to such member of a copy of the charges and an opportunity to be heard in person or by defense counsel before the Mayor and Council. Such removal shall be final.

- b) Said commission shall organize as a "recreation and parks commission" by the election of a Chair, who shall serve for a term of one year or until his or her successor is elected and qualified. The commission shall adopt rules and regulations for the government of the commission and for the operation of the various recreational facilities and public parks under its control. The rules shall provide that the Commission shall hold at least one regular meeting each month; except the Commission, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held.
- c) Once each year, or more often if requested or required by the Mayor or Council, the Commission will prepare and furnish a written report of its activities during the year and the status of the parks under the Commission's jurisdiction.
- d) The Parks and Recreation Commission shall review the Village's parks and recreation operations, facilities and programs and shall make advisory recommendations to the Mayor and the Council concerning such parks and recreational programs, operations and facilities as the Commission believes to be in the best interest of the Village.

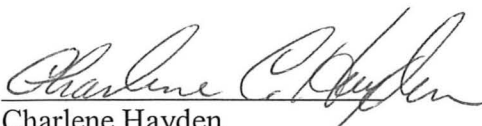
The Commission shall also, with the approval of Council and the Mayor, equip, operate, direct and maintain all the existing recreational facilities and park facilities,

Section 3: The Law Director is hereby authorized to consult with the appropriate Board of Elections and take all actions necessary in order to submit the foregoing revisions to a vote of the electors of the Village at the next General Election to be held on November 7, 2006 at the regular places of voting in the Village.

Section 4: This Ordinance is declared to be an emergency measure for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that this Ordinance is requested to be immediately effective in order to file a certified copy of this Ordinance and the proposed form of the ballot question with the Licking County Board of Elections not later than August 24, 2006, as provided herein; therefore, this Ordinance shall take effect and be in force immediately upon its passage.

Passed on 10<sup>th</sup> day of July 2006.

ATTEST:

  
Charlene Hayden  
President of Council

  
Frank Foster  
Mayor