

North Canton City Council  
Ordinance, Rules and Claims Committee

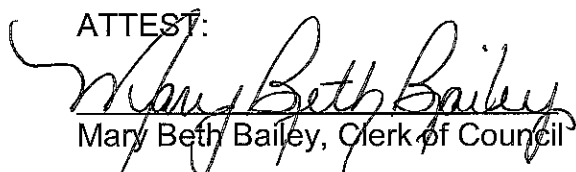
Ordinance No. 17 – 2015

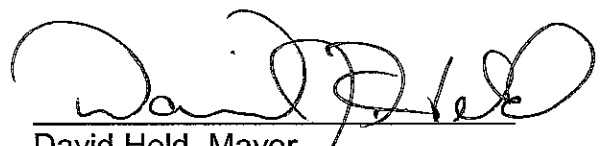
An ordinance amending TITLE FIVE – ADMINISTRATION, of the Codified Ordinances of the City of North Canton specifically CHAPTER 1177 – CONDITIONAL USE PERMITS AND SIMILAR USES, and to repeal and delete Section 1177.11 APPEAL TO CITY COUNCIL.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That TITLE FIVE – Administration, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 1177 – CONDITIONAL USE PERMITS AND SIMILAR USES, be and the same is hereby deleted Section 1177.11 APPEAL TO CITY COUNCIL.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 27<sup>th</sup> day of April, 2015

ATTEST:  
  
Mary Beth Bailey, Clerk of Council

  
David Held, Mayor  
SIGNED: 4/27, 2015

- (c) Action by Planning Commission. The Planning Commission shall, within 10 days after its hearing, forward a recommendation to City Council. The Planning Commission shall recommend that Council approve, approve with modifications or deny the application for a similar use determination and provide the reasons for their decision. (Ord. 34-13. Passed 6-10-13.)

#### **1177.10 ACTION BY CITY COUNCIL.**

Council shall, at a regular meeting, take action on the Planning Commission's recommendation.

- (a) Council shall either:
- (1) Adopt the recommendation of the Planning Commission; or
  - (2) Deny the recommendation of the Planning Commission; or
  - (3) Adopt some modification thereof.
- (b) Required vote for adoption or rejection:
- (1) When City Council confirms the recommendation of the Planning Commission, the recommendation shall be adopted when approved by a majority vote of Council members.
  - (2) When City Council rejects the recommendation of the Planning Commission, the recommendation shall be overruled by not less than six votes of Council members.
- (c) If Council approves a similar use, then the similar use shall be added to those districts that allow the principal or conditional use that is most similar, as identified in Council's action. (Ord. 34-13. Passed 6-10-13.)

#### **1177.11 APPEAL TO CITY COUNCIL.**

Any person who is adversely affected by a decision made by the Planning Commission according to the procedures set forth in this Chapter may appeal such decision to Council within 30 days of the Planning Commission's decision. Council shall establish appropriate rules and procedures to hear and decide such appeals.  
(Ord. 34-13. Passed 6-10-13.)