

ORDINANCE NO. 112-19

**AN ORDINANCE TO AMEND SECTION 1224.04(c)
OF THE CODIFIED ORDINANCES OF THE CITY OF AVON
CONCERNING COMPENSATION FOR MEMBERS OF THE
BOARD OF ZONING AND BUILDING APPEALS
AND DECLARING AN EMERGENCY**

WHEREAS, the Administration has recommended compensation adjustments for members of the Avon Board of Zoning and Building Appeals; and

WHEREAS, Council, upon the recommendation of the Administration, and taking into consideration the duties and responsibilities of the members of the Board, deems it to be in the best interests of the health, safety and welfare of the community to amend §1224.04(c) to allow for annual adjustments in the compensation to members of the Board.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Section 1224.04(c) of the Codified Ordinances of the City of Avon which presently reads as follows:

1224.04 BOARD OF ZONING AND BUILDING APPEALS.

(c) Membership & Compensation.

The Board of Zoning and Building Appeals shall be composed of five (5) qualified members appointed by the Mayor, with the concurrence of two-thirds (2/3) of the membership of the legislative authority, who shall be appointed for terms of five (5) years as set forth in the Charter.

- (1) Each member of the Board of Zoning and Building Appeals shall receive annual compensation in the amount of one thousand, seven hundred thirty-four dollars (\$1,734.00), payable on a quarterly basis.
- (2) The Chairperson of the Board of Zoning and Building Appeals shall be compensated at the rate of one and one-half times the compensation paid to other members of the Board of Zoning and Building Appeals, payable on a quarterly basis.
- (3) The compensation set forth in division (c)(1) and (2) shall become payable the first quarterly pay period of 2009.

(Ord. 58-01. Passed 5-29-01; Ord. 42-09. Passed 4-13-09.)

Shall be amended as follows: (New Language in Bold Print)

1224.04 BOARD OF ZONING AND BUILDING APPEALS.

(c) Membership & Compensation.

The Board of Zoning and Building Appeals shall be composed of five (5) qualified members appointed by the Mayor, with the concurrence of two-thirds (2/3) of the membership of the legislative authority, who shall be appointed for terms of five (5) years as set forth in the Charter.

(1) **Commencing with the year 2020, each of the members of the Board of Zoning and Building Appeals shall receive annual compensation in an amount to be established by City Council in its annual "Ordinance Establishing Compensation for Full and Part-time Administrative Positions Not Covered by Any Collective Bargaining Agreement," payable on a monthly basis.**

(2) The Chairperson of the Board of Zoning and Building Appeals shall be compensated at the rate of one and one-half times the compensation paid to other members of the Board of Zoning and Building Appeals, payable on a **monthly** ~~quarterly~~ basis.

~~(3) The compensation set forth in division (c)(1) and (2) shall become payable the first quarterly pay period of 2009.~~

(Ord. 58-01. Passed 5-29-01; Ord. 42-09. Passed 4-13-09.)

Section 2 - The Codifier is hereby instructed to insert all amendments to Section 1224.04 contained in this legislation. All other language contained in Section 1224.04 not specifically amended herein shall remain in full force and effect.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Section 1224.04 of the Codified Ordinances to allow for annual pay adjustments for members of the Avon Board of Zoning and Building Appeals; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____

Ordinance No. 112-19 (Con't.)

Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director