

**ORDINANCE NO. 73-23**

**AN ORDINANCE AMENDING CHAPTER 668 OF THE CODIFIED ORDINANCES  
OF THE CITY OF AVON REGULATING STABLES AND KENNELS  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Avon is a chartered municipal corporation validly organized and existing under the Constitution and laws of the state of Ohio, and as such may regulate stables and kennels within the City; and

**WHEREAS**, the regulations set forth herein reflect the City's acknowledgment that keeping animals, livestock, poultry, etc. within the City will require stables, kennels, coops, hutches and other structures designed to house them; and

**WHEREAS**, the current provisions of the Codified Ordinances with regard to the regulation of these shelters should be harmonized with the other provisions of the City's Planning and Zoning Code designed to protect the interests of adjoining property owners; and

**WHEREAS**, Council believes that this ordinance will achieve the proper balance between these interests and that passage of same will promote the health, safety and welfare of all citizens of Avon. Furthermore, existing property owners will not be denied any economically viable use of their property because this ordinance is intended to be prospectively applied.

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

Section 1 – That the provisions of Chapter 668, entitled “Stables & Kennels” shall be amended to read as set forth in the new Chapter 668 which is attached hereto as [Exhibit "A"](#) and incorporated herein by this reference.

Section 2 – That the Codifier is hereby instructed to insert new Chapter 668 as contained in Exhibit A of this legislation in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in Chapter 668 not specifically amended herein shall remain in full force and effect.

Section 3 – That wherever the provisions of this Ordinance conflict with any other ordinance or any provision of the Codified Ordinances of the City, the restrictive provision(s) shall control.

Section 4 – 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 5 – That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to update the Avon Codified Ordinances as it pertains to stables and kennels and other structures for housing animals, livestock, poultry, etc.; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara Brooks, Clerk of Council

Posted: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

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