

**ORDINANCE NO. 24-15**

**AN ORDINANCE TO AMEND §1222.02(b) OF THE CODIFIED  
ORDINANCES OF THE CITY OF AVON TO ADD §1222.02(b)(15-A)  
TO DEFINE “BULK MATERIALS”**

**WHEREAS**, the Administration has been considering amendments to the Planning and Zoning Code dealing with area restrictions on outdoor storage and outdoor display; and

**WHEREAS**, creating a definition of “bulk materials” is a necessary component to amending these restrictions; and

**WHEREAS**, the Planning Commission authorized a Public Hearing on said amendment which was duly publicized according to law and held on February 18, 2015; and

**WHEREAS**, on February 18, 2015, after fully discussing the proposed definition of “bulk materials”, Planning Commission, by a vote of five (5) in favor and zero (0) opposed, recommended approval of the amendment to the Planning and Zoning Code; and

**WHEREAS**, Council, on March 2, 2015, announced a Public Hearing; and

**WHEREAS**, said Public Hearing was duly publicized according to law and was held on April 13, 2015 at 7:15 PM; and

**WHEREAS**, Council, in considering the recommendation of Planning Commission, finds that adopting Section 1222.02(b)(15-A) of the Code to create a definition for the term “bulk material” is reasonable and in the best interests of the safety, health and welfare of the citizens of Avon.

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

Section 1 - That Chapter 1222.02(b) is hereby amended to add the following definition:

**1222.02           DEFINITIONS.**

(b)     However, for the purpose of this Planning and Zoning Code, certain words herein are defined and whenever used in this Planning and Zoning Code, shall have the meaning indicated in this section, except where the context clearly indicates a different meaning.

**(15-A) “Bulk Material.” Material ordered, stored, issued, and sold by weight (such as bar stock or minerals), volume (such as mulch, sand, rock or gravel), or by footage (such as lumber). LPG (liquefied petroleum gas, CNG (compressed natural gas) or hazardous materials in a gaseous or liquid form, measured in volume, are not included in this definition.**

Section 2 - 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 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

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

By: \_\_\_\_\_

Craig L. Witherspoon, Council President

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

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Ellen R. Young  
Clerk of Council

POSTED: \_\_\_\_\_

In Five Places as  
Provided by Council

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