

ORDINANCE NO. 01-2017

Amending Certain Sections of the Codified Ordinances of the City to Allow for Electronic Notification to the Public of the Dates of Public Meetings, of Vacancies in Personnel Positions in the City, of a Water Conservation Emergency, and of Applications Heard Pursuant to Part 11 of the Codified Ordinances.

WHEREAS, City Council has decided to provide notice of public hearings on ordinances and budget estimates by electronic means, rather than by publication in a newspaper of general circulation, in accordance with the authority granted in the City Charter; and,

WHEREAS, consistent with the change the City Council has made, a review has been conducted of the Codified Ordinances to determine whether other departments of the City are required to publish notices in a newspaper of general circulation; and,

WHEREAS, the Personnel Director is required by ordinance to publish notices of vacancies in personnel positions in the newspaper; and,

WHEREAS, when the City Council determines by resolution that an emergency exists requiring the conservation of the water supply of the City, notice of the passage of such resolution is required to be published once in a newspaper of general circulation; and,

WHEREAS, the Planning and Building Department places notices in the newspaper with a description of the agenda items of each meeting of the Municipal Planning Commission, the Architectural Review Board and the Board of Zoning Appeals; and,

WHEREAS, both the Personnel Director and the Planning and Building Department provide for alternate means of communicating those notices to the public.

NOW, THEREFORE BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Section 109.05 of the Codified Ordinances of the City of Worthington be and hereby are amended to read as follows:

109.05 NOTICE OF REGULAR MEETINGS.

The Clerk shall post a statement on the City's website of the time and place of regular and organizational meetings of each municipal body for each calendar year not later than two days preceding the day of the first regular or organizational meeting of the calendar year of that municipal body. The Clerk shall also post the statement in not less than four of the

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most public places in the Municipality as determined by City Council. If the time or place of regular or organizational meetings is changed on either a temporary or permanent basis, a statement of the time and place of such changed regular meetings shall be posted on the City's website and in each of the four places where the original notice was posted at least twenty-four hours before the time of the first changed regular meeting.

SECTION 2. That Section 109.06 of the Codified Ordinances of the City of Worthington be and hereby are amended to read as follows:

109.06 NOTICE OF SPECIAL MEETINGS.

Except in the case of an emergency special meeting as hereinafter provided, the Clerk shall post a statement of the time, place and purposes of special meetings no later than twenty-four hours before the time of such special meeting on the City's website and in each of the four public places determined in Section 109.05.

SECTION 3. That Section 139.07 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

139.07 RECRUITMENT AND SELECTION.

Original appointments to vacancies occurring shall be based on merit as determined by competitive examinations. Requirements as to applicant qualifications shall be provided by rule established by the Personnel Director. The Personnel Director shall determine the time and place of examinations and shall post an advertisement for applications on the City's website and in such other media as the Director shall determine expedient. The Director shall prescribe the form of the application and shall conduct such investigation as the Director deems necessary as to the truth of the statements made therein and as to the qualifications of the applicant. The Director shall have authority to exclude from the examination any applicant whose application discloses that he or she does not possess the minimum qualifications established in the classification plan for the position sought. The Director may also require all applicants to be fingerprinted. Examinations shall be in such form as will fairly test the abilities and aptitudes of the candidates to perform the duties of the position sought. The Director shall determine the nature of the examination and the weight to be attributed to each part and shall grade or shall cause the examinations to be graded.

SECTION 4. That Section 925.02 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

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925.02 WATER CONSERVATION EMERGENCY; RESTRICTIONS.

Whenever Council shall determine by resolution, on recommendation of the Director of Service and Engineering, that an emergency exists requiring the conservation of the water supply of the City, such resolution shall be posted on the City's website and notice thereof shall be communicated to the general public by any other media that the Director deems expedient. No person shall thereafter use water from the public water supply for the washing of vehicles, sprinkling of lawns or other vegetation or for any purpose other than normal housekeeping purposes except under such restrictions as may be established in such resolution.

SECTION 5. That Section 1127.03(b) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1127.03 CONDITIONAL USE PERMITS.

(b) Hearings. The Commission shall fix a reasonable time for the hearing of an application for a conditional use permit and give the public notice thereof at least seven days prior to the hearing by posting a description of the application on the City's website. The property that is the subject of the application shall be posted with a placard stating the date and location of the hearing. At this hearing, any party may appear in person or by attorney.

SECTION 6. That Section 1129.03 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1129.03 HEARINGS.

The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal and give the public notice thereof at least fourteen days prior to the hearing by posting a description of the appeal on the City's website. The property that is the subject of the appeal is to be posted with a placard stating the date, time and location of the hearing. At this hearing, any party may appear in person or by attorney.

SECTION 7. That Section 1145.02(e) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1145.02 PROCEDURE FOR CHANGE IN ZONING DISTRICTS.

(e) Public Hearing by Council. The report of the Commission shall be made within thirty days after the first regular Commission meeting following introduction of the ordinance by Council, and shall include a recommendation either:

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- (1) That the proposed amendment be adopted as submitted, or
- (2) That the proposed amendment be revised in a specified manner and adopted, or
- (3) That the proposed amendment be rejected.

If the Commission makes no report within thirty days, Council may proceed without such report. Upon receipt of the report of the Commission, Council shall fix a date for a public hearing on the amendment. Such hearing may be held on but not before the fourteenth day following the fixing of the date or on any day thereafter. Notice of the public hearing shall be published in the same manner as notices are published for public hearings on Council ordinances. If the amendment involves the zoning or rezoning of property, the notice of the public hearing shall be posted on the property to be zoned, or rezoned, at least ten days prior to the date of the City Council public hearing. During the period between the fixing of the date of the hearing and the date of the hearing, the text of the proposed amendment, together with any maps or diagrams referred to therein, shall be kept on file in the office of the Planning and Building Department for public examination during regular office hours. The availability of such materials shall be indicated in the published notice of the hearing.

SECTION 8. That Section 1174.08(b)(2) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1174.08 PUD PROCEDURES.

(b) Preliminary Plan

(2) City Council. Upon receipt of the recommendation of the Municipal Planning Commission, the requested PUD shall be set forth in Ordinance form and shall thereafter be introduced in writing at a meeting of the City Council, and the City Council shall fix a date for a public hearing. Such hearing may be held on but not before the fourteenth day following the fixing of the date or on any day thereafter. Notice of the public hearing shall be published in the same manner as notices are published for public hearings on Council ordinances. Notice of the hearing date and time shall be posted on the property to be considered for the PUD at least ten days prior to the hearing. During the period between the fixing of the date of the hearing and the date of the hearing, the Preliminary Plan shall be kept on file in the office of the Planning and Building Department for public examination during regular office hours. The availability of such materials shall be indicated in the published notice of the hearing.

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After receiving from the Municipal Planning Commission the recommendations for the proposed PUD and after holding the above public hearing, the City Council shall consider such recommendations and vote on the passage of the proposed PUD Ordinance. The City Council may, by a majority of all its members, adopt or reject the proposed Ordinance, with or without change.

SECTION 9. That Section 1177.03(c) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1177.03 APPLICATION AND NOTICE.

(c) Upon receipt of an application for a certificate of appropriateness, which is accompanied by the material required by the provisions of subsection (b) hereof, the Director of Planning and Building shall place the application on the agenda for the Board at its next regular meeting following ten days from the date the application is filed. The Director of Planning and Building shall further cause a public notice of the scheduled hearing date of the application together with a general description of the nature of the application to be posted on the City's website at least ten days prior to the hearing, and post a placard on the property that is the subject of the application stating the date and location of the hearing within that same time period. The applicant shall be notified by mail of the date of the hearing. At the hearing, any party may appear in person or by attorney.

SECTION 10. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed January 17, 2017

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council

Introduced January 3, 2017
P.H. January 17, 2017
Effective March 20, 2017