

RECORD OF ORDINANCES

Ordinance No. 04-26-2023 Passed 4-4, 20 23

AN ORDINANCE AMENDING SECTION 1327.04(a) and 1327.04(e) DEMOLITION OR REMOVAL OF PRINCIPAL STRUCTURES ON COMMERCIAL OR INDUSTRIAL PROPERTIES OF THE CODIFIED ORDINANCES OF THE CITY OF CIRCLEVILLE IN ORDER TO UPDATE ZONING DISTRICT CLASSIFICATIONS IN ACCORDANCE WITH THE NEW ZONING CODE AND DECLARING IT AN EMERGENCY.

WHEREAS, the Council of the City of Circleville has previously adopted a new Zoning Code on August 2, 2022; and

WHEREAS, Section 1327.04(a) and 1327.04(e) of the Codified Ordinances of the City of Circleville must be amended to include the updated terminology used in the new Zoning Code

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, PICKAWAY COUNTY, OHIO, AS FOLLOWS:

SECTION I. That Section 1327.04(a) of the Codified Ordinances of the City of Circleville shall be as follows:

(a) Requirements Before Demolition or Removal of Principal Structures on Commercial or Industrial Properties. No demolition or removal of a principal structure for which a demolition permit or Certificate of Appropriateness is required shall be permitted unless the requirements for the Certificate of Appropriateness or demolition permit have been satisfied. No demolition or removal of a principal structure in a Neighborhood Business District, General Business District, Downtown Business District, Community Service District, Innovation and Employment District, or Historic District (Overlay) that has been constructed prior to the calendar year of 1960 shall be permitted unless and until one of the following conditions is satisfied.

(1) The Director of Public Safety, Chief Building Official, Code Official, Fire Chief, City Engineer, Director of the Pickaway County Health District or their respective designees determines, in writing, to grant a demolition or removal permit based on causes such as fire or other source of property damage or loss, in order to:

- A. Remedy a public safety hazard which cannot be reasonably cured and must be abated,
- B. Remedy a public nuisance, or
- C. The passage of ninety (90) calendar days following the date on which the Building

Department receives an application for a demolition permit or a permit to move a principal structure, during which time the applicant has further made and filed in good faith all applications that are required by the City and County to secure approval of new development plans at the location of such property; and the new building(s) and/or structure(s) proposed for the location of such property conforms to the design requirements set forth by the City Board or Commission that grants a Certificate of Appropriateness, and any design requirements set forth by any other board or commission of the City, in order to proceed with new development plans.

SECTION II. That Section 1327.04(e) of the Codified Ordinances of the City of Circleville shall be as follows:

(e) Demolition or Removal Delay Period. The time period before a permit can be issued for the demolition or removal of a principal structure located in the Neighborhood Business District, General Business District, Downtown Business District, Community Service District, Innovation and Employment District, or Historic District (Overlay) is provided in order to permit the City, public agencies, civic groups and other interested parties a reasonable opportunity to study, comment and propose potential alternatives or modifications to the affected structure or the proposed new development plans. During such time period, if the City or other interested parties deem preservation appropriate, the applicant shall undertake meaningful and continuing discussions with the City and other interested parties to investigate the feasibility of all means of preserving the structure and the applicant shall make every

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reasonable effort to find a demolition alternative for the structure. If the applicant or a representative of applicant fails to meet with the City as requested, then the City may deny a demolition permit to demolish the structure. During such period, the owner of the structure shall also maintain or mothball the structure to prevent further deterioration. If no solution is found within the delay period, or any extension thereof, a Certificate of Appropriateness for demolition shall be issued. As part of the application for a demolition permit, the applicant shall sign an authorization or release granting the City the right to have a structural engineer, architect, and/or other professional chosen by the City to inspect the building.

SECTION III. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Circleville; the emergency being to avoid unnecessary delay in the application and contracting process, wherefore, this ordinance shall be in full force and effective immediately upon its passage.

PASSED: 4-4-2023
DATE

Bruce P. Keller
PRESIDENT OF COUNCIL

ATTEST: Lisa M. Oray
CLERK OF COUNCIL

APPROVED: 4-4-2023
DATE

Michael R. Kelly
MAYOR

APPROVED AS TO FORM: Gary D. Kenworthy
GARY D. KENWORTHY
CIRCLEVILLE LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM