

RECORD OF ORDINANCES

SAFETY

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 01-04-2014

Passed 1-7- 2014

AN ORDINANCE AMENDING SECTION 745.07(b) OF THE CODIFIED ORDINANCES OF THE CITY OF CIRCLEVILLE ESTABLISHING A NOTICE PROCEDURE TO BE UTILIZED BY THE SAFETY DIRECTOR OR HIS REPRESENTATIVE PRIOR TO THE ISSUANCE OF A SPECIAL NOISE VARIANCE.

WHEREAS, the Council of the City of Circleville has previously established procedures for the granting of special noise variances within the City of Circleville; and

WHEREAS, pursuant to Section 745.07(b) of the codified ordinances, the Safety Director or his representative is to notify persons who frequent the area of the sound or activity and who may be adversely affected by the granting of a variance prior to approving any noise variance application; and

WHEREAS, to insure that all potentially affected parties are given proper notice of an application for a special noise variance, it is the desire of Council to have the Safety Director or his representative give notice of the application by posting the name, date, time, location and purpose of this variance request on the City of Circleville website; and

WHEREAS, a posting of such application request will not be detrimental to the health, safety or welfare of the citizens of the City of Circleville, and the same ought to be done;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, County of Pickaway, State of Ohio, as follows:

SECTION I. That Section 745.07(b) of the Codified Ordinances of the City of Circleville is hereby modified so as to read as follows:

745.07(b)

Any person seeking a special variance pursuant to this section shall file an application with the Safety Director, or his designated representative. The application shall contain information which demonstrates that bringing the source of sound or activity for which the special variance is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on the other persons. Notice of an application for a special variance shall be given by the Safety Director or his representative to persons who frequent the area of the sound or activity and who may be adversely affected by the granting of the variance. This notice shall include the name of the applicant, date and specific times for which the special noise variance is requested, location where the noise variance shall take place and a purpose or reason for the noise variance request. Any individual who claims to be adversely affected by allowance of the special variance may file a statement with the Safety Director or his representative containing any information to support his claim.

SECTION II. That all other provisions of Section 745.07(b) of the Codified Ordinances not otherwise modified by this ordinance shall remain unchanged and in full force and effect.

SECTION III. That this ordinance shall take effect and be in force from and after the earliest period permitted by law.

PASSED: 1-7-2014

David M. Gant
PRESIDENT OF COUNCIL

ATTEST: Adam M. Gant

APPROVED: 1-07-2014

Debra K. Maly
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy
GARY D. KENWORTHY, LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM