

**ORDINANCE NO. 05-17**

**AN ORDINANCE BY TROTWOOD CITY COUNCIL REPEALING OLD SECTION 1133.04 "SPECIAL STANDARDS AND CONSIDERATIONS" AND ENACTING NEW SECTION 1133.04 "SPECIAL STANDARDS AND CONSIDERATIONS" AND DECLARING AN EMERGENCY.**

**WHEREAS**, Codified Ordinances Section 1133.04 of the City of Trotwood, Ohio provides for special standards and considerations for a conditional use permit within the City of Trotwood; and

**WHEREAS**, the Trotwood City Council has determined that it would be in the best interest of the City to adopt a new Section 1133.04 entitled "Special Standards and Considerations" of the Codified Ordinances of the City of Trotwood, Ohio to update the special standards and considerations for conditional use permits to comply with the Fair Housing Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO, THAT:**

**SECTION I:** That Section 1133.04 "Special Standards and Considerations" in Chapter 1133 "Conditional Uses" of the Codified Ordinances of the City of Trotwood, Ohio be repealed.

**SECTION II:** That a new Section 1133.04 "Special Standards and Considerations" in Chapter 1133 "Conditional Uses" of the Codified Ordinances of the City of Trotwood, Ohio be enacted to read as set forth in Exhibit A with additions in **bold** and deletions in ~~striketrough~~, which is attached hereto and incorporated herein.

**SECTION III:** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

**SECTION IV:** This Ordinance is hereby declared to be an emergency in order to amend the Codified Ordinances to update the special standards and considerations for conditional uses to comply with the Fair Housing Act, which will preserve the public health, safety, and welfare. This Ordinance shall take effect immediately upon adoption.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DAVID YOUNG  
DEPUTY CLERK OF COUNCIL

\_\_\_\_\_  
MARY A. MCDONALD  
MAYOR

\_\_\_\_\_  
BETTYE L. GALES  
VICE-MAYOR

**CERTIFICATE OF RECORDING OFFICER**

I, \_\_\_\_\_, Clerk of the City of Trotwood, Ohio,  
do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No.  
05-17 passed by the Trotwood City Council on the \_\_\_\_\_ day of \_\_\_\_\_  
2017.

IN TESTIMONY WHEREOF, witness by hand and official seal this \_\_\_\_\_ day of  
\_\_\_\_\_ 2017.

\_\_\_\_\_  
David Young  
Deputy Clerk of Council