

**ORDINANCE NO. 2021-05
INTRODUCED BY:**

03/05/2021

**AN ORDINANCE
AMENDING CHAPTER 1494, TREE REGULATIONS, AND
SECTION 1252.02, PRELIMINARY PLAN, OF THE
PEPPER PIKE CODIFIED ORDINANCES, TO REVISE
TREE REGULATIONS AND INCORPORATE THOSE
REGULATIONS IN THE CITY'S PLAN APPROVAL
PROCESS AND REPEALING CERTAIN ORDINANCES.**

WHEREAS, this Council last revised Chapter 1494, Tree Regulations, ("the Ordinance") in the year 2011 when Ordinance No. 2011-09 was enacted; and

WHEREAS, the City of Pepper Pike ("City") has engaged George Smerigan to review and make recommendations regarding updating the Ordinance to protect the legitimate municipal interests impacted by the cutting of trees in the City; and

WHEREAS, the attached "Exhibit A" contains amendments to the Ordinance which Council finds and determines to revise tree cutting regulations in the City in the best interests of the City and the health, safety and welfare of the property owners of the City; and

WHEREAS, the attached "Exhibit B" contains amendments to Section 1262.02, Preliminary Plan, which incorporate the revisions to the Ordinance and adds a cross reference to the riparian setback regulations; and

WHEREAS, this ordinance has been referred to the Planning and Zoning Commission for a report; and

WHEREAS, this Council has duly publicized and held a public hearing regarding this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PEPPER PIKE, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That existing Chapter 1494, Tree Regulations, of the Codified Ordinances is amended as provided in "Exhibit A", which is attached to this ordinance and incorporated by reference.

SECTION 2. That existing Section 1262.02, Preliminary Plan, of the Codified Ordinances is amended as provided in "Exhibit B", which is attached to this ordinance and incorporated by reference.

SECTION 3. That existing Chapter 1494 and existing Section 1262.02 of the Codified Ordinances of the City of Pepper Pike are repealed and any other ordinances, or parts of any other ordinances, in conflict with this ordinance are repealed to the extent of the conflict.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2021

Council Presiding Officer

Submitted to the Mayor for approval on this __ day of _____, 2021

Approved by the Mayor this
____ day of _____, 2021

ATTEST:

Clerk of Council

Mayor