

ORDINANCE NO. O-4-24

AN ORDINANCE TO AMEND CHAPTER 32: BOARDS AND COMMISSIONS

WHEREAS, the Piqua Code of Ordinances Chapter 32 establishes Boards and Commissions; and,

WHEREAS, the Planning Commission has recommended in a 5-0 vote to amend Chapter 32 as listed below; and,

WHEREAS, the Planning Commission has recommended amending the Sections below to state the following:

Board of Zoning Appeals

- § 32.095 *ESTABLISHMENT; MEMBERSHIP.*

There is hereby established a Board of Zoning Appeals (BZA). The board shall have the duties and powers imposed by ordinance and this code. The board shall hear appeals from decisions and adjudications under the city's zoning regulations made by the Community Services Director, City Planner, Code Compliance Coordinator, and other persons or administrative bodies authorized to administer and enforce the city's zoning regulations.

 - *(a) The Board shall consist of five (5) members, who shall be residents of the city and serve five-year terms.*
 - *(b) The City Commission shall appoint members of the BZA and may remove any member of the Board for cause upon written charges after a public hearing.*
 - *(c) The City Commission shall remove any member of the Board who during his or her term changes his or her residence to outside the city.*
 - *(d) Vacancies shall be filled by the City Commission for the unexpired term of the member affected.*
 - *(e) One member of the Planning Commission shall be a member of the BZA and will be appointed by the chair of the Planning Commission annually.*
 - *(f) There shall not be any limit to the number of terms for a BZA member.*
 - *(g) The City Planner shall be a nonvoting ex-officio member of the Board of Appeals.*

- § 32.096 *ORGANIZATION.*
 - *The BZA shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.*
 - *(a) Officers shall be the Chair and Vice-Chair.*

- (b) Meetings shall be held at the call of the Chair and at any other times as the Board may determine.
 - (c) Three members of the BZA shall constitute a quorum for the conducting of business.
 - (d) The Chair, or in his or her absence, the Vice-Chair may administer oaths and compel the attendance of witnesses.
 - (e) All meetings and records shall be open to the public, with public meeting minutes being adopted formally.
- § 32.097 JURISDICTION.
 - (a) Any person, property owner, tenant, or any governmental officer, department, board, or bureau may apply for exception or variance from the strict applications of terms of the City of Piqua Development Code (Title XV), or appeal a decision of the enforcing officer to the Board of Appeals as defined within this Code.
 - (b) Any appeal of a ruling of the enforcing officer shall stay all proceedings unless the enforcing officer certifies that, by reason of acts pertaining to the matter in question, a stay may jeopardize the health, safety or welfare of the community thereof. When the certification is made, proceedings shall not be stayed except by a restraining order granted by the court of common pleas.
- § 32.098 POWERS.
 - The Board of Zoning Appeals shall have the powers and duties expressly identified in the Development Code (Title XV), specifically under Article 7.1.3.

City Historic Review Commission

- § 32.110 ESTABLISHMENT; MEMBERSHIP.

There is hereby established a City Historic Review Commission (CHRC) of six (6) members; one (1) of which shall be on the Board of the Piqua-Caldwell Historic District, as a full member, and one (1) of which shall be a City Commission member, which will serve as an ex officio, non-voting member. The board shall have the duties and powers imposed by ordinance and this code.

 - (a) Members shall be residents of the City of Piqua.
 - (b) No member shall be an official or employee of the city.
 - (c) Members shall serve without compensation and shall be appointed for a term of five (5) years, except that of the members first appointed, one shall be for a term of one (1) year, one for two (2) years, one shall be for three (3) years, one for four (4) years, and one for five (5) years.
 - (d) To the extent possible, the CHRC shall include professional members in the fields of architecture, architectural history, history, archaeology, planning, or related disciplines.

- *(e) The City Commission shall appoint members of the CHRC and may remove any member of the Commission for cause upon written charges after a public hearing.*
 - *(f) The City Commission shall remove any member of the Commission who during his or her term changes his or her residence to outside the city.*
 - *(g) Vacancies on the CHRC shall be filled within 60 days by the City Commission unless extenuating circumstances require a longer period.*
- **§ 32.111 ORGANIZATION.**
The CHRC shall annually elect its own officers as well as adopt rules as necessary to allow for the efficient and effective management of meetings.
 - *(a) Officers shall be the Chair and Vice-Chair.*
 - *(b) Meetings shall be held at the call of the Chair and at any other times as the Commission may determine, but at least quarterly (four times per year).*
 - *(c) Three members of the CHRC shall constitute a quorum for the conducting of business.*
 - *(d) All meetings and records shall be open to the public, with public meeting minutes being adopted formally.*
 - *(e) Staff in the Community Services Department shall produce an annual report in conjunction with the CHRC that is published annually and available for public inspection.*
 - **§ 32.112 POWERS.**
The CHRC shall have the powers and duties expressly identified in Chapter 99 Piqua Preservation Ordinance, specifically § 99.05.B.

BE IT ORDAINED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected and appointed thereto concurring, that:


SEC. 1: The Ordinance referencing Chapter 32: Boards and Commissions is hereby amended as described herein.

SEC. 2: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

1st Reading – 4/16/2024

2nd Reading – 5/7/2024

3rd Reading – 5/21/2024


KRIS LEE, MAYOR

PASSED: 5.21.2024

ATTEST: Melissa Kinney
MELISSA KINNEY
CLERK OF COMMISSION

The Motion to adopt the foregoing ordinance was offered by Comm. Hohman,
seconded by Mayor Lee, and on roll call the following vote ensued:

Mayor Kris Lee	<u>Yah</u>
Commissioner James Vetter	<u>Yah</u>
Commissioner Frank DeBrosse	<u>Yah</u>
Commissioner Thomas Hohman	<u>Yah</u>
Commissioner Paul Simmons	<u>Yah</u>