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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. 58 - 2012

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9 AN ORDINANCE APPROVING A PRELIMINARY AND  
10 FINAL PLAT APPLICATION FOR A PUBLIC UTILITY  
11 RIGHT-OF-WAY WITHIN AND ADJACENT TO HEMLOCK  
12 HILLS DRIVE (UNDEDICATED) (PARCEL NO. 35-04240),  
13 AND DECLARING AN EMERGENCY.

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15 WHEREAS, Art. VIII, §1.7 of the Charter of the City of Cuyahoga Falls requires  
16 that all affirmative decisions made by the Planning Commission be submitted to  
17 Council, and

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19 WHEREAS, the Planning Commission has jurisdiction to review, approve or deny  
20 an application for a Preliminary and/or Final Plat, pursuant to Sections 1113.03 and  
21 1113.04 of the Codified Ordinances, and

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23 WHEREAS, on May 15, 2012 the Planning Commission approved the Preliminary  
24 and Final Plat for a subdivision of land consisting of a public utility right-of-way  
25 within and adjacent to Hemlock Hills Drive (undedicated) (Parcel No. 35-04240),  
26 within the City of Cuyahoga Falls, Ohio, as described in File P-8-12-P,

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28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga  
29 Falls, County of Summit, and State of Ohio, that:

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31 Section 1. This Council approves the Preliminary and Final Plat for a subdivision  
32 of land consisting of a public utility right-of-way within and adjacent to Hemlock  
33 Hills Drive, undedicated (Parcel No. 35-04240), as stipulated in the Codified  
34 Ordinances of the City of Cuyahoga Falls and as approved by the Planning  
35 Commission and as outlined in File P-8-12-P.

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37 Section 2. Any other ordinances or resolutions or portions of ordinances and  
38 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
39 resolutions not inconsistent herewith and which have not previously been repealed  
40 are hereby ratified and confirmed.

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42 Section 3. It is found and determined that all formal actions of this Council  
43 concerning and relating to the adoption of this ordinance were adopted in an open  
44 meeting of this Council, and that all deliberations of this Council and of any of its  
45 committees that resulted in such formal action, were in meetings open to the public,  
46 in compliance with all legal requirements, to the extent applicable, including Chapter  
47 107 of the Codified Ordinances.  
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49        Section 4. This ordinance is hereby declared to be an emergency measure  
50 necessary for the preservation of the public peace, health, safety, convenience and  
51 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that  
52 it is immediately necessary to permit timely and appropriate development of this  
53 property, and provided it receives the affirmative vote of two thirds of the members  
54 elected or appointed to Council, it shall take effect and be in force immediately upon  
55 its passage and approval by the Mayor; otherwise it shall take effect and be in force  
56 at the earliest period allowed by law.

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Passed: 6-11-12

Mark Shary  
President of Council

Colleen J. Meacham  
Clerk of Council

Approved: 6/13/12

D. Robert  
Mayor

5/29/12  
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