

AMENDED ORDINANCE NO. 47-00

By: Mark R. Masser

An Ordinance to amend Chapter 1268 of the Planning and Zoning Code by the enactment of a new Section 1268.30 excluding certain uses from the definitions of "retail sales" and "retail services," to renumber existing Section 1268.30 through 1268.40 as Sections 1268.31 through 1268.41, and to declare an emergency.

WHEREAS, there is currently in effect a moratorium on the processing of applications for certain uses in the Neighborhood Commercial District, Office Commercial District, Community Commercial District, General Commercial District, Commercial Service District, Planned Unit Commercial District, Open Space District or the Main Street District, which expires on August 1, 2000; and

WHEREAS, this Council has determined that it is desirable to amend the Planning and Zoning Code to restrict certain uses permanently;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That Chapter 1268 of the Planning and Zoning Code is hereby amended by the enactment of a new Section 1268.30 as follows:

SECTION 1268.30. RETAIL SALES AND RETAIL SERVICES.

"Retail sales" and "retail services" shall not, unless expressly specified as a permitted use or conditional use in Chapter 1252, include any of following: animal kennel; automobile repair or service in conjunction with any other use; bar/night club; check cashing, payday lender or similar business; convenience store or similar use, including, without limitation, a carryout, beverage store or liquor store; equipment and/or vehicle rental; expansion of any existing automobile repair or service business; flea market or other temporary retail sales; instant bingo parlor or other establishment operating a game or scheme of chance; pawn shop; retail sale of automobiles or automobile parts and supplies; small loan company; or tattoo/body piercing.

Section 2. That existing Sections 1268.30 through 1268.40 are hereby renumbered as Sections 1268.31 through 1268.41, respectively.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to assure that none of such uses occur within the City upon the expiration of the current moratorium, and shall go into full force and effect immediately upon its passage and approval by the Mayor.

Passed: 9-12, 2000

Anne H. Patten
President of Council

Attest: Richard A. Lewis
Clerk of Council

Approved: 9/12, 2000

David H. Madison
David H. Madison, Mayor

7/11/00 Amended Ordinance
substituted @ third reading
Tabled.
9-12-00 Removed from
table. Passed