

**ORDINANCE NO. 2016-11**

**AN ORDINANCE REPEALING SECTION 304.5 OF THE ZONING CODE OF THE VILLAGE OF PERRY, OHIO, REGARDING THE RIGHT OF ENTRY TO ENFORCE THE PROVISIONS OF CHAPTER 304 OF THE ZONING CODE OF THE VILLAGE AND DECLARING AN EMERGENCY**

**WHEREAS**, Council has been advised of the need to repeal certain provisions of the "Zoning Code of the Village of Perry, Ohio" pertaining to the duty to remove those motor vehicles that are in violation of the provisions of Chapter 304 of said Codified ordinances; and

**WHEREAS**, Section 304.05 of the Zoning Code of the Village of Perry, Ohio, presently reads as follow:

**304.5 RIGHT OF ENTRY**

The Chief of Police or Mayor, and any agent appointed by the Mayor, and employee of such appointed agent, and authorized officer are hereby expressly authorized to enter upon private property for the purposes of enforcing the provisions of the Ordinance. No person shall interfere, hinder, or refuse to allow them to enter upon private property for such purposes and to remove any motor vehicle in accordance with the provisions of the section. Any person to whom notice was given shall has the right to remove or house such motor vehicle in accordance with such notice at his own expense at any time prior to the arrival of the Chief of Police or Mayor, for the purpose of removal.

**WHEREAS**, this Council finds it to be in the best interests of the residents of the Village to repeal such provision.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PERRY, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:**

**Section 1.** That Section 304.05 of the Codified Ordinances of the Village of Perry, Ohio, is hereby repealed in its entirety.

**Section 2.** That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its Committees, which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 3.** That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to provide for the efficient administration of Village affairs. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Perry.

**WHEREFORE**, this Ordinance shall be in full force and effect at the earliest possible date allowed by law.

Vicky Stevens  
**VICKY STEVENS, MAYOR**

**ADOPTED:** 2/11/16

**ATTEST:** Joanne Clapp  
**JOANNE CLAPP, CHIEF FISCAL OFFICER**