

ORDINANCE NO. 08-25 AC CMS

AN ORDINANCE AMENDING SECTION 1353.01 OF THE
CODIFIED ORDINANCES OF THE CITY OF OBERLIN
RELATED TO THE DEFINITION OF A ROOMING HOUSE,
IN ORDER TO PROVIDE FOR TEMPORARY SHELTERS,
AND ADDING CHAPTER 1354 ENTITLED TEMPORARY
SHELTERS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin Zoning Code contains a definition of a Rooming House use, and

WHEREAS, the Ordinance's definition of a Rooming House use would preclude the operation of a Temporary Shelter, and

WHEREAS, the Oberlin Planning Commission has recommended to City Council that the definition of a Rooming House be amended, and that a new chapter be added to the Code related to Temporary Shelters.

Now Therefore, **BE IT ORDAINED** by the Council of the City of Oberlin, County of Lorain, State of Ohio, a five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the definition of "Rooming House" as set forth in Section 1353.01 of the City of Oberlin Zoning Code is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference; and that Chapter 1354 entitled "Temporary Shelters" is hereby added to the Zoning Code, and which shall read as set forth in Exhibit B attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, 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 an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to permit the operation of temporary shelters to serve an immediate need to house homeless persons at the earliest possible date", and shall take effect immediately upon passage.

PASSED: 1st Reading – April 21, 2008(E)
2nd Reading –
3rd Reading –

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 4/22/08

EFFECTIVE DATE: 4/21/08

EXHIBIT "A"

Rooming Houses - Amended Definition.

1353.01 ROOMING HOUSE DEFINITION:

A rooming house shall be any building in which sleeping room(s) are occupied by individuals not related to each other by blood or marriage which provides sleeping accommodations for at least five but not more than sixteen persons residing on a transient or permanent basis with or without meals, but without separate cooking facilities for individual occupants.

Notwithstanding anything in this section to the contrary, **Temporary Shelters**, as defined in Chapter 1354 of the Zoning Code, are specifically excluded from the definition of Rooming Houses.

EXHIBIT "B"

Temporary Shelters

1354.01 TEMPORARY SHELTER DEFINITION.

A Temporary Shelter shall be any building situated in a R-1A, R-1B, R-1 or R-2 District as defined by the Zoning Code, in which individuals are provided temporary shelter, for a period of time not to exceed 7 consecutive days during any 30-day period, for a total of not more than 35 days in a calendar year, and such accommodations are provided to not more than 15 persons in a 24 hour period, without monetary or other charge, and based on an inability to pay for shelter accommodations.

1354.02 SPECIAL USE PERMIT FOR TEMPORARY SHELTER.

No person or entity shall operate a temporary shelter unless he/she/it holds a valid Special Use Permit for a Temporary Shelter in the name of the operator, issued by the Fire Chief, pursuant to Section 105 of the Oberlin Fire Code. The Fire Chief shall have the authority to revoke a Special Use Permit for a Temporary Shelters if the holder thereof fails to comply with Section 105 of the Oberlin Fire Code or any other Regulations promulgated as stated below.

1354.03 TEMPORARY SHELTER REGULATIONS.

Temporary shelters shall be governed by rules to be promulgated by the Fire Chief, Chief Building Official and Planning and Development Director, in addition to the Oberlin Fire Code and any other Ordinance or Regulation that may apply to Temporary Shelters.