

ORDINANCE NO. 16-133

BY: Nancy Moore

Amending Section 173.02 and Chapter 130 of the Administrative Code of the Codified Ordinances to designate the City's Housing Council to serve also as the City's the Housing Advisory Board.

WHEREAS, this Council formally created the City's Housing Council by the enactment of Section 173.07 of the Administrative Code of the City's Codified Ordinances in Ordinance 04-11, adopted on February 9, 2004, which body is required by Ohio Revised Code (R.C.) Section 3735.69, to inspect properties that have been granted tax exemptions under the Community Reinvestment Area program in the City to ensure that the subject properties are properly maintained, and to hear appeals from revocations of tax exemptions made by the City's Housing Officer; and

WHEREAS, Council amended Section 173.07 in Ordinance 06-92, enacted on October 23, 2006, and amended and renumbered said section as Section 173.02 in Ordinance 16-33, adopted on March 28, 2016; and

WHEREAS, Chapter 130 of the Administrative Code of the City's Codified Ordinances was enacted in Ordinance 92-85, adopted on May 11, 1992, which Chapter created the City's Housing Advisory Board as required by R.C. Section 176.01 for the purpose of receiving and reviewing comprehensive plans for the development and maintenance of affordable housing in the City and related functions under the Ohio Revised Code; and

WHEREAS, R.C. Section 176.01(E)(2) authorizes the City to have the Mayor designate, with approval of Council, that the Housing Council serve as the Housing Advisory Board; and

WHEREAS, the Mayor of Shaker Heights has designated the Housing Council to serve as the City's Housing Advisory Board as set forth in this Ordinance, and this Council approves said designation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That Section 173.02 of the Administrative Code of the Codified Ordinances of the City of Shaker Heights as currently in effect is hereby repealed.

Section 2. That Section 173.02 of the Administrative Code of the Codified Ordinances of the City of Shaker Heights is hereby amended as follows:

173.02 HOUSING COUNCIL.

(a) Purpose and Duties. In order to fulfill the requirements of Ohio Revised Code (R.C.) Section 3735.69 ~~Ohio Revised Code (ORC)~~, or any successor section ~~of the ORC~~ including such requirement, and to enhance and promote the preservation and development of the City, there is hereby created a Housing Council for the purpose of making an annual inspection of properties within any designated CRA in the City, as defined by R.C. Section 3735.65 ~~ORC~~, for which a tax exemption has been granted under R.C. Section 3735.67 ~~ORC~~, and to report to the State of Ohio summarizing the activities and projects for which an exemption has been granted. The

inspections of properties are for the purpose of ensuring that the properties are properly maintained. The designation of any CRA shall be reviewed biennially by the Housing Council to determine whether housing conditions justify the maintenance of the CRA. The Housing Council shall make a recommendation to City Council as to whether the designated area should remain the same, be amended, or be eliminated. The Housing Council shall hear appeals from the denial of certification or the revocation of tax exemptions made by the Housing Officer

(b) Membership. The Housing Council shall consist of seven members. Two members shall be appointed by City Council; two members shall be appointed by the Mayor; one member shall be appointed by the City's Planning Commission; and these five members shall appoint two residents of the City of Shaker Heights as members. Terms for each member shall be three years. An unexpired term resulting from a vacancy shall be filled in the same manner as the initial appointment is made.

(c) Membership Representation. The appointing authorities for the Housing Council shall work together to ensure in their appointments, as supplemented pursuant to subsection (e) of this Section, that there is balanced representation from each of the following groups located within the City, as required by ORC Section 176.01:

- (1) Institutions that lend money for housing;
- (2) Nonprofit builders and developers of housing;
- (3) For-profit builders and developers of housing;
- (4) For-profit builders and developers of rental housing;
- (5) Real estate brokers licensed under Chapter 4735. of the Revised Code;
- (6) Other persons with professional knowledge regarding local housing needs and fair housing issues within the subdivisions served by the board;
- (7) Residents of areas of the subdivisions served by the board that could receive housing assistance from such subdivisions;
- (8) Any metropolitan housing authority operating within the subdivisions served by the board;
- (9) The elected officials of the political subdivisions served by the board;
- (10) Such other groups or individuals that the appointing authority determines are necessary to provide balanced advice on housing plans and programs.

(de) Meetings. The Housing Council shall meet at least annually, or as needed, as determined by City Council or the Chairperson of the Housing Council. The annual inspection of properties granted tax exemption by the Council shall constitute a meeting for the purpose of the annual meeting requirement. The Housing Council shall choose from among its members a Chairperson, and such other officers as it determines are needed. At least four members present at a meeting shall comprise a quorum of the Housing Council.

(e) Housing Advisory Board. The Housing Council is designated to serve as the City's Housing Advisory Board pursuant to the authority of ORC Section 176.01(E)(2), or any successor section, for the purposes set forth in Section 130.01 of the Codified Ordinances and as required by ORC Section 176.01, or any successor section including such requirement. The Mayor, with

the approval of Council, shall, if necessary to achieve the balanced representation required by subsection (c) of this Section, appoint additional members for three year terms to serve with the Housing Council when it meets as the City's Housing Advisory Board.

Section 3. That Chapter 130 of the Administrative Code of the Codified Ordinances of the City of Shaker Heights as currently in effect is hereby repealed.

Section 4. That Chapter 130 of the Administrative Code of the Codified Ordinances of the City of Shaker Heights is hereby amended as follows:

CHAPTER 130
Housing Advisory Board

130.01 Creation; purpose. ~~130.03 Term; vacancies.~~
130.02 Membership.

130.01 CREATION; PURPOSE.

The City's Housing Council, formed pursuant to Section 173.07 of the Codified Ordinances, shall serve as the City's ~~There is hereby created a "Housing Advisory Board" for the whose purpose of shall be to receive~~ and reviewing comprehensive plans for the development and maintenance of affordable housing in the City and related functions as set forth under Ohio R.C. 176.01 et seq.

130.02 MEMBERSHIP.

The members of the Housing Council appointed pursuant to Section 173.07 of the Codified Ordinances shall serve as the members ~~Membership of the Housing Advisory Board shall consist of a representative from each group set forth pursuant to Ohio R.C. 176.01, who shall be appointed by the Mayor and confirmed by Council.~~

~~130.03 TERM; VACANCIES.~~

~~Members of the Housing Advisory Board shall serve a term of four years commencing from the date of their appointment. Vacancies on the Board shall be filled by appointment by the Mayor and confirmed by Council. Board members filling unexpired terms created by such vacancies shall serve the unexpired term of the successor member's predecessor.~~

Section 5. This Ordinance shall take effect from and after the earliest time allowed by law.

Enacted December 19, 2016.

Approved this ____ day of _____, 2016.

EARL M. LEIKEN, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council