

ORDINANCE NO. 2024-66

AN ORDINANCE AMENDING CHAPTER 1167 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “AIR CONDITIONING UNITS,” AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Willowick has reviewed, heard and recommended certain amendments to the Codified Ordinances of the City of Willowick, in the best interests of the residents of the City of Willowick.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE, STATE OF OHIO:

Section 1. Chapter 1167 of the Codified Ordinances of the City of Willowick, Ohio, titled “Air Conditioning Units,” is hereby amended to read and provide as follows:

CHAPTER 1167

~~Air Conditioning~~, External Household or Commercial Units

1167.01 DEFINED; PERMITS; LOCATION; INSPECTION.

(a) As used in this chapter, “**External Household or Commercial Unit**” or “**Unit**” means any **air conditioning unit**, appliance, instrument, device, apparatus or equipment or component thereof, used for washing, humidifying, dehumidifying or controlling the temperature of air **or electricity** in a residence or other ~~accessory~~-building and which is designed for installation in an outdoor location detached from the building which it serves, **including generators, heat pumps, and any similar appliance, machine or equipment located on the outside of a primary structure.**

(b) No ~~air conditioning~~ **Unit** shall be installed in an outdoor location in a Single Family or Multi Family, **or Business** District without first obtaining a permit therefor from the Chief Building Inspector. Applications for such permits shall be in writing, shall specify the brand name, model, dimensions and cooling capacity of the ~~air conditioning~~ **Unit**, and shall be accompanied by a drawing showing the proposed location of the **Unit**. If the proposed installation complies in all respects with this chapter and all other applicable ordinances, rules and regulations of the City, and upon payment of a fee, the Chief Building Inspector shall issue a permit therefor.

(c) In a Single Family or Multi Family District no ~~air conditioning~~ **Unit** shall be installed, placed or set (i) within a side or front yard; (ii) determination of the number of feet within any side or rear lot line will be at the discretion of the Board of Zoning Appeals; (iii) within fifteen feet of any residence other than the one being served by such air conditioning unit.

(d) Every ~~air conditioning~~ **Unit** installed in an outdoor location shall be placed upon a level, one-piece slab of concrete or similar material of such strength and thickness as to prevent breakage due to freezing or other causes.

(e) The Board of Zoning Appeals or Council may, as a condition of granting a variance from the provisions of this chapter as to location of an ~~air-conditioning~~ **Unit**, require that landscaping or other sound-deadening material be installed in connection with the installation of an ~~air-conditioning~~ **Unit** in order to prevent the sound from such ~~air-conditioning~~ **Unit** from being annoying, disturbing or injurious to the comfort, repose, peace, health or safety of nearby residents.

(f) No ~~air-conditioning~~ **Unit** shall be placed in operation until the Chief Building Inspector has inspected the same and determined that the installation and location thereof are in compliance with this chapter and all other applicable ordinances, rules and regulations of the City.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 123 of the Codified Ordinances of the City of Willowick.

Section 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and the operation of its building department; wherefore, this Ordinance shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2024

Monica Koudela, Council President

Submitted to the Mayor: _____, 2024

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2024

ATTEST: _____
Clerk of Council