

CITY OF BROOK PARK, OHIO

P/C 6-21-22 legislative
CA _____
1st R _____
2nd R _____
3rd R _____
B/C _____

RESOLUTION NO: 16-2022

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS, ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY

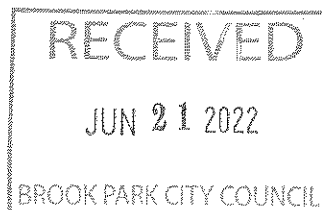
WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas used for business and trade; and

WHEREAS, this Council desires to issue a moratorium, for a temporary period of time, not to exceed twelve (12) months from the date of passage of this Resolution, while it undertakes a review and/or study of the Ordinances of the City of Brook Park, including zoning, building, and business regulation sections of the Brook Park Codified Ordinances; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Brook Park more effectively if a moratorium is in place.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Council hereby approves a temporary moratorium, not to exceed twelve (12) months, of the granting of any permits allowing vape and smoke establishments or shops with the City of Brook Park.



SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that this measure is necessary in order to establish this temporary moratorium as soon as possible, and this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: July 19, 2022

M. R. Keelin
PRESIDENT OF COUNCIL

ATTEST: *Carol Johnson*
Clerk of Council

APPROVED: *Ed A. Lunt*
MAYOR

CERTIFICATE

Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance (Resolution) No. 16-2022

passed on the 19 day of July 2022 by said council.

Carol Johnson
Clerk of Council

7-19-22
DATE

I, Carol Johnson, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location: City Hall 6161 Engle Road, Police Station 17401 Holland Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing 7-20-2022
Carol Johnson
CAROL JOHNSON
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coyne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Polindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW