

FIG 5/2/23 Legislative  
PRIC 5216-23

CITY OF BROOK PARK, OHIO

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3rd R \_\_\_\_\_  
W/O \_\_\_\_\_

RESOLUTION NO. 7-2023

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION  
PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS,  
ON CARWASH ESTABLISHMENTS 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, and welfare, comfort and peace of the citizens of the municipality, including restricting areas used for businesses and trades; and

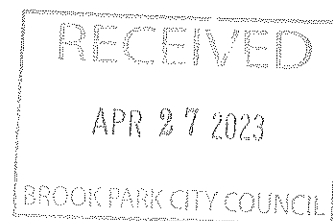
WHEREAS, this Council desires to issue a moratorium for a temporary period of time, not to exceed twelve (12) months from the date of passage of this Resolution, while it undertakes a review and/or study of the ordinances of the City of Brook Park, including the zoning, building and business regulation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

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to 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 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:** 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 the City of Brook Park would like to impose a twelve (12) month moratorium on carwash establishments in the City of Brook Park, therefore, provided that 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: May 16, 2023

*Myth Wehrh*  
PRESIDENT OF COUNCIL

ATTEST: *Carol Johnson*  
CLERK OF COUNCIL

APPROVED: *Ed A. Curt*  
MAYOR

5-16-23  
DATE

**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. 7-2023  
passed on the 16 day of MAY  
20 23 by said council.

*Carol Johnson*  
Clerk of Council

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 5-17-23  
*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"/>
Poindexter	<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