

AN ORDINANCE ADOPTING A MORATORIUM ON ACCEPTING APPLICATIONS FOR OR ISSUING ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD AUTHORIZE THE USE OF LAND AS AN AUTOMOTIVE SERVICE STATION, VEHICULAR SERVICE STATION, TRUCK SERVICING STATION, TRUCKING TERMINAL, GAS STATION, CONVENIENCE STORE OPERATED IN CONNECTION WITH ANY OF THE FOREGOING, OR ANY REPAIR SERVICES FOR MACHINERY OR EQUIPMENT FOR A PERIOD NOT TO EXCEED SIX MONTHS, IN ORDER TO ALLOW THE VILLAGE TO REVIEW ITS LOCAL LAWS AND TO PLAN FOR REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY

WHEREAS, the Council and the Village administration have observed that the real property in the Village using land as an automotive service station, truck servicing station, trucking terminal, gas station, convenience store operated in connection with any of the foregoing, or any repair services for machinery or equipment have presented a number of health, safety, and welfare concerns to the Village; and

WHEREAS, certain properties with said land uses utilize a considerable amount municipal resources because of the frequent number of calls to the police department and fire department, and because of the high amount of additional municipal services which the Village devotes to those properties in attempting to ensure compliance with state and local laws; and

WHEREAS, pursuant to the Village Charter, as well as the Ohio Constitution, this Council also has the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting or prohibiting certain business uses; and

WHEREAS, the Council wishes to devote its time and attention to a review applicable sections of its Codified Ordinances to plan for and to formulate a regulatory scheme that will best limit the continuing health, safety, and welfare issues caused by the real property in the Village using land as an automotive service station, truck servicing station, trucking terminal, gas station or convenience store operated in connection with any of the foregoing; and

WHEREAS, while Council engages in that review, Council wishes to impose a moratorium on accepting applications for or issuing zoning certificates for any building, structure, use, or change of use that would authorize the use of land as an automotive service station, truck servicing station, trucking terminal, gas station, convenience store operated in connection with any of the foregoing, or any repair services for machinery or equipment.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio, that:

SECTION 1. The Council establishes a moratorium on the acceptance of any application for, or the granting of, any zoning certificate for any building structure, use, expansion of use, or change of use that would enable the use of land as an automotive service station, truck servicing station, trucking terminal, gas station, convenience store operated in connection with any of the foregoing, or any repair services for machinery or equipment.

SECTION 2. No property in the Village may expand in any way that would establish a use of land as an automotive service station, truck servicing station, trucking terminal, gas station, convenience store operated in connection with any of the foregoing, or any repair services for machinery or equipment for the duration of the moratorium period established hereby.

SECTION 3. It is found and determined that all formal actions of this Council concerning and 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 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare in the Village for the reasons set forth in the recitals of this Ordinance; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 4-2-2024

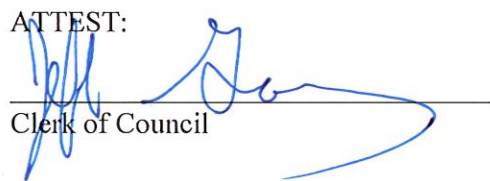


President of Council



Mayor

Dated: 5/10/2024

ATTEST:


Clerk of Council