Ordinance No. _____ Passed _____ , 20___

ORDINANCE C- 12

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, AND/OR BUILDING PERMIT APPROVALS FOR SWEEPSTAKES/INTERNET CAFES AND THE ISSUANCE OF SUCH APPROVALS FOR A PERIOD OF SIX (6) MONTHS AND DECLARING AN EMERGENCY

WHEREAS, on July 27, 2011 the City of Orrville passed ordinance F-11, thereby placing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permit approvals for sweepstakes/internet cafes and the issuance of such approvals for a period of six (6) months; and

WHEREAS, there is currently legislation pending in committee before the Ohio House of Representatives providing for regulation of Sweepstakes/Internet Cafes; and

WHEREAS, this Council desires to continue to study the appropriateness of adopting one or more ordinances that reasonably regulate the location and operation of Sweepstakes/Internet Cafes in order to minimize or eliminate potential negative secondary effects on the community that may be found to result from the operation of one or more Sweepstakes/Internet Cafes in the City, and to further the public health, safety and general welfare; and

WHEREAS, this Council believes that the continuation of the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permit approvals for Sweepstakes/Internet Cafes, as defined in Ordinance F-11, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will afford City officials and this Council the time necessary to put into place reasonable zoning and business regulations to further the aforesaid purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ORRVILLE, STATE OF OHIO, THAT:

Section 1: The temporary moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permit approvals for Sweepstakes/Internet Cafes, and the issuance of such approvals, all as set forth and defined in Ordinance F-11, is hereby continued and extended for a period of six (6) months.

Section 2: Whenever the provisions of this Ordinance conflict with any other ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

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 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.
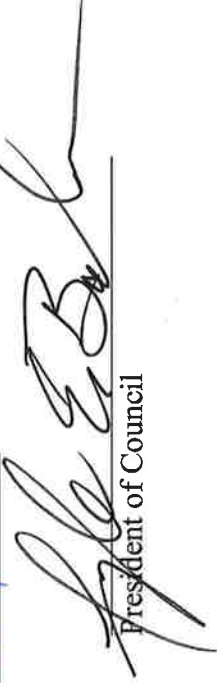
Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of
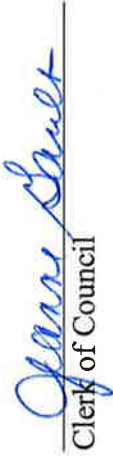
the City and its residents and property owners and for the further reason that it is necessary to extend the temporary moratorium to continue the pause for planning purposes so as to further the orderly development of the City with respect to the establishment and operation of Sweepstakes/Internet Cafes, to adopt well thought-out and contemporary zoning and business regulations for the City and to protect the public interest and rights of property owners; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

Passed this 17th day of January 2012.

_____
President of Council

Attest:

_____
Clerk of Council

Approved:

_____
Mayor

Date 1/17/12