

..Label

Moratorium: Tobacco Shops
Councilman Martinez

..Title

Declaring a Moratorium until January 31, 2025, on the review and issuance of any zoning permits, building permits, certificates of occupancy, or other licenses or permits for tobacco shops, in the City of Toledo; and declaring an emergency.

..Body

SUMMARY AND BACKGROUND:

Toledo City Council is initiating a study by the Toledo City Plan Commission to research the history and future establishment of tobacco shops in the City of Toledo, to examine the secondary effects that they have on city residents and city neighborhoods, in order to allow the city time to study the effects of such products on citizens and to determine whether the adoption of regulations relating to such products are warranted.

The study will look into the impact of the proliferation of tobacco shops, on the public health and safety of citizens, and surrounding neighborhoods. The study will address whether there should be a basis for licensing, increased spacing from similar facilities and schools, parks, etc., or for additional standards. Additionally, the study will consider updating any City codes to ensure compliance with State of Ohio Laws.

The City's Plan Commission is requested to study a possible text amendment to better regulate tobacco shops in Toledo. The amendment could require licensing or additional Special Use Permit regulations to open a tobacco shop development. A moratorium on the issuance of zoning permits, building permits, certificates of occupancy, or other licenses or permits for tobacco shops in the City of Toledo is necessary to allow time for Council to review the Plan Commission report and hold appropriate hearings regarding the proposed changes to the zoning code.

..Summary

NOW THEREFORE Be it ordained by the Council of the City of Toledo:

SECTION 1. For the reasons stated in the Summary & Background, this Council establishes a moratorium on the review and issuance of zoning permits, building permits, certificates of occupancy, and other licenses or permits for tobacco shops as defined in the Summary and Background, in the City of Toledo on applications filed after the effective date of this moratorium. This moratorium shall be in effect until January 31, 2025, or such time as the City has established regulations regarding the review and issuance of same for tobacco shops, whichever is earlier.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed 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 3. That this Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that the

same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason being that a moratorium is necessary to allow additional time to study the report and recommendations of the Plan Commission and the public health and safety impact of tobacco shops in the City of Toledo.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council _____.

Attest: _____
Clerk of Council