

RESOLUTION NO. 2024-87

A RESOLUTION IMPOSING A MORATORIUM ON THE GRANTING OR PROCESSING OF PERMITS FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ALLOW THE RETAIL SALE OF PRIMARILY TOBACCO OR ELECTRONIC CIGARETTES WITHIN THE CITY OF WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, Council and the Mayor intend to adopt legislation that provides for the orderly implementation of future retail establishments that primarily sell tobacco and electronic cigarettes; and

WHEREAS, pursuant to the Ohio Constitution and local ordinances, City Council possesses the inherent power to enact appropriate planning, zoning, and business regulation laws that further the health, safety, welfare, comfort, and peace of its citizens, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, at least until such time as regulations are adopted, Council has determined it to be in the best interests of the community health, safety, and welfare to impose an immediate moratorium on any future retail establishments that primarily sell tobacco and electronic cigarettes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. City Council hereby imposes an immediate moratorium on the issuance and processing of any permits for retail stores that primarily sell tobacco and electronic cigarettes. For purposes of this Resolution, "electronic cigarettes" shall have the same meaning as defined in Section 521.14 of the Codified Ordinances of the City of Wooster.

SECTION 2. The purpose of this moratorium is to allow the City Administration and Council to consider amendments to pertinent Codified Ordinances, including the Zoning Code, to prepare regulations regarding retail stores that primarily sell tobacco and electronic cigarettes.

SECTION 3. Council and the Mayor hereby direct and order that no permits shall retail stores that primarily sell tobacco and electronic cigarettes be issued or processed by the City during the moratorium.

SECTION 4. The moratorium shall be in effect for a period beginning from the effective date of this Resolution through the earlier of February 28, 2025, until changes are enacted to amend the Codified Ordinance of the City of Wooster to address these issues, or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.

SECTION 5. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 6. This Resolution is declared to be necessary to the immediate preservation of the public health, peace, safety, and welfare of the City, or providing for the usual daily operation of a municipal department or division, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-

fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1<sup>st</sup> Reading 10-21-24 2<sup>nd</sup> Reading → 3<sup>rd</sup> Reading 10-21-24

Passed: October 21, 2024

Vote: 7-0

Attest: Amy McHamilton  
Clerk of Council

[Signature]  
President of Council

Approved: 10/22, 2024

[Signature]  
Mayor

Introduced by: Barb Knapic