



NORWOOD, OHIO

Ordinance No. 36 2024

ORDINANCE EXTENDING THE TEMPORARY MORATORIUM IMPOSED BY ORDINANCE 52-2023 IMPOSING A TEMPORARY MORATORIUM ON THE CONSIDERATION AND/OR GRANTING OF ANY ZONING, OCCUPANCY, BUILDING OR OTHER PERMITS OR APPLICATIONS RELATING TO VAPE STORES WITHIN THE CITY OF NORWOOD, AND DECLARING AN EMERGENCY

WHEREAS, the City of Norwood legitimately regulates the location and operation of businesses within the City; and

WHEREAS, it is in the City's best interest to promote the orderly growth and economic development of the City; and

WHEREAS, the City desires to adopt changes to the Planning and Zoning Code to protect the health, safety and welfare of the community and to promote economic growth; and

WHEREAS, Council of the City of Norwood imposed a temporary moratorium by Ordinance No. 52-2023; and

WHEREAS, the City of Norwood requires additional time to review and implement certain zoning changes; and

WHEREAS, in order to better protect the general health and welfare of the City of Norwood, an extension of the temporary moratorium on the issuance of zoning, occupancy, and building permits and other approvals will create a more stable environment so that amendments to the City's zoning code and general regulatory ordinances, if necessary, can be considered and adopted in an orderly and thorough process; now therefore,

BE IT ORDAINED by the Council of the City of Norwood, State of Ohio, that:


SECTION 1. The temporary moratorium established by Ordinance No. 52-2023 is hereby extended for an additional 180 days from the effective date of this Ordinance. During the additional 180 days, the City of Norwood shall not accept or process any applications for zoning, occupancy, and/or building permit approvals for new vape shops and e-cigarette retailers in the city limits and further shall not issue any such approvals.

SECTION 2. For the purposes of this Ordinance several vape shops and e-cigarette retailers in the City of Norwood are located in the city limits, including Elev8 Smoke Shope (Surrey Square), VIP Wireless & Smoke Shop (2 locations on Montgomery Road), and Lefty's (Surrey Square).

SECTION 3. Whenever the provision of this ordinance conflicts with any other ordinance or any provision of the Codified Ordinances of the City, the provision of this ordinance shall control.

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 for the reason that the moratorium imposed by Ordinance 52-2023 is set to expire before the City can complete an appropriate study of the issue and enact appropriate legislation.


PASSED 0/25/2024
Date



Joseph S. Geers
President of Council


ATTEST:

Natalie Assaf, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the 25 day of June, 2024 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 25 day of June, 2024.



Natalie Assaf
Clerk of Council


APPROVED 25 June 24
Date



Victor Schneider
Mayor

CERTIFICATION OF PUBLICATION:

Natalie Assaf, the duly appointed Clerk of Council, attests that this Ordinance was published in the Cincinnati Enquirer on 7/9/24 and 7/16/24
(Name of Newspaper) (date) (date)



Natalie Assaf
Clerk of Council

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings 6/25/24
Date

Tabled _____
Date

Vetoed _____
Date

City of Norwood



Victor Schneider
MAYOR

Office of the Safety-Service Director

June 13, 2024

Dear Council President Geers,

On behalf of the Norwood Planning Commission, I am requesting that City Council extend the moratorium on vape shops for an additional 180 days by amending Ordinance 52-2023. The Planning Commission has been working diligently to investigate the matter, but requires additional time to complete its work and make recommendations to City Council.

Sincerely,

Noah Powers III, Esq.
Safety-Service Director

City of Norwood



Victor Schneider
MAYOR

Office of the Safety-Service Director

June 13, 2024

Dear Council President Geers,

On behalf of the Norwood Planning Commission, I am requesting that City Council extend the moratorium on vape shops for an additional 180 days by amending Ordinance 52-2023. The Planning Commission has been working diligently to investigate the matter, but requires additional time to complete its work and make recommendations to City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Noah Powers III".

Noah Powers III, Esq.
Safety-Service Director



City of Norwood Request for Ordinance, Resolution, Amendment, or Repeal

Date of Request: 6/13/2024		Date Needed: 6/25/2024
Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.		
Requested By:	Noah Powers	
Contact:	Ssd@norwoodohio.gov	
Document Requested:	Amendment	
Executive Summary of document needed:		
If an amendment or repeal request, list existing Ordinance Number(s)/Section(s) of Ordinance to be amended or repealed, etc. (or attach documents and/or copies as appropriate)		
<p>Requesting an ordinance amending Ordinance 52-2023 by extending a moratorium on the opening of new vape shops and e-cigarette retailers in the City of Norwood for a period of an additional 180 days. Several vape shops and e-cigarette retailers are already located in the city limits, including: Elev8 Smoke Shop (Surrey Square), VIP Wireless & Smoke Shop (2 locations on Montgomery Road), and Lefty's (Surrey Square – to open soon). The products provided by these establishments are known to cause health problems, and moratoriums have been put in to place by other communities in southwest Ohio in recent months to allow for the study of these types of business establishments. The Norwood Planning Commission has been investigating the matter, but requires additional time to complete its work. Therefore, I am requesting an extension of the temporary moratorium.</p>		
Action Requested:	Emergency - Three Readings at One Meeting with Immediate Effectivity	
If Emergency clause or suspension of rules for all three readings is needed, explain:		
Requesting three readings at one meeting to allow the Planning Commission to take action as appropriate.		
Special Notes/Instructions		