

CITY OF CHEVIOT  
STATE OF OHIO

ORDINANCE NO. 19-06

**TO IMPOSE A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATIONS FOR NEW CONSTRUCTION FOR PROPERTIES WITHIN THE BUSINESS "B" ZONE DISTRICT OF THE CITY OF CHEVIOT FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS; AND TO DECLARE AN EMERGENCY.**

**WHEREAS**, the Business "B" Zone District use regulations adopted by this Council on September 2, 1997, and amended on October 3, 2006 and February 18, 2014, do not today preserve the unique business district character of this corridor and also impose regulations not easily met for new businesses; and

**WHEREAS**, a review and study by the Cheviot City Planning Commission for the Business "A," Business "B," and Business "B-1" Zone Districts will be studied as a whole to identify goals and objectives to ensure a viable business district; and

**WHEREAS**, the Planning Commission's study and recommendations will be presented to this Council for consideration of adoption; and

**WHEREAS**, this Council will determine if the Planning Commission should formulate new zoning regulations for the Business "B" Zone District through an Overlay Zoning District; and

**WHEREAS**, the City of Cheviot encourages economic development and does not want to impose undue burdens on new development, and any new zone regulations will only seek to continue the existing neighborhood business district character; and

**WHEREAS**, the moratorium imposed herein does not deprive all reasonable economic use of the properties in Business "B" Zone District, as it only seeks to limit new construction for a period not to exceed six (6) months.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:**

Section 1. This Council hereby imposes a moratorium of six (6) months on the acceptance of any building permit application for new construction for properties within the Business "B" Zone District. The purpose of this moratorium is to review and study Planning Commission's recommendation regarding the establishment of an Overlay Zoning District.

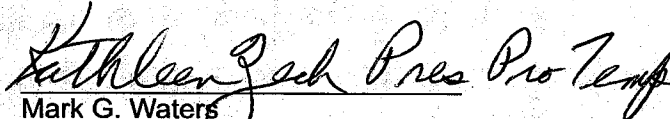
Section 2. This Council hereby directs and orders that the Building Department shall not accept any applications for permits for new construction of properties within the Business "B" Zone District during the moratorium.

Section 3. This Council hereby exempts from this moratorium any applications for permits for new construction which have been submitted to the Building Department prior to the passage of this Ordinance and which have been deemed complete by the Building Commissioner.

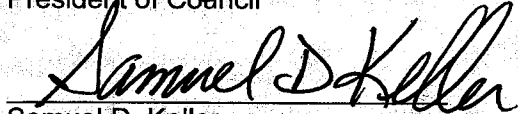
Section 4. This Council finds and determines that all formal actions of this Council relating to the passage of this Ordinance have been taken at open meetings of this Council; and that the deliberations of this Council and its committees, resulting in such formal action, took place in

meetings open to the public, in compliance with all statutory requirements, including the requirements of Ohio Revised Code Section 121.22.

Section 5. This Ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to allow the City to accomplish the City's goals as stated above immediately.

  
Mark G. Waters  
President of Council

3/5/19  
Date passed

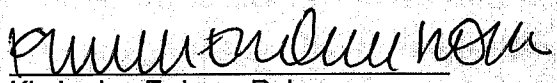
  
Samuel D. Keller  
Mayor

3/5/19  
Date approved

Attest:

Approved as to form:

  
Jenny M. Eilermann  
Clerk of Council

  
Kimberlee Erdman Rohr  
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Western Hills Press*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) 3-13, 2019, and
- 2) 3-20, 2019.

  
Jenny M. Eilermann  
Clerk of Council