

**ORDINANCE NO. 98-42 AC CMS**

**AN ORDINANCE DECLARING A MORATORIUM ON THE ISSUANCE OF NEW ROOMING HOUSE LICENSES WITHIN THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Constitution and the Charter of the City of Oberlin provide the City of Oberlin with the general authority to control zoning and land use within the municipality; and,

WHEREAS, Chapter 1353 of the Codified Ordinances of the City currently authorize the establishment of rooming houses as a conditional use in any area of the municipality; and,

WHEREAS, the Oberlin Planning Commission and Planning Consultants for the City have expressed concerns relating to the potential proliferation of rooming houses throughout the municipality; and,

WHEREAS, the Oberlin Planning Commission and Oberlin City Council desire a reasonable opportunity to review provisions in the Planning and Zoning code relating to the establishment and location of new rooming houses within the City; and,

WHEREAS, the City Council determines that a temporary moratorium on the establishment of new rooming houses in the City is necessary in order to initiate and complete comprehensive study relating to same and to protect the health, safety and welfare of the citizens of the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7) of all members elected thereto concurring:

SECTION 1. That this Council hereby declares the above findings to be true and correct in all respects.

SECTION 2. That there is hereby established a moratorium on the establishment of new "rooming houses", as defined in Section 1353.01 of the Codified Ordinances, in the City of Oberlin, and the City Manager, Code Administrator and all other municipal employees shall not accept any applications for new or additional rooming houses as of the effective date of this Ordinance and continuing until this moratorium expires. The moratorium shall not apply to those rooming houses presently holding a valid municipal rooming house license or who have applied for same prior to the effective date of this Ordinance.

SECTION 3. That this moratorium shall be in effect for a period of three-hundred sixty-five (365) days from the effective date of this Ordinance, at which time it shall automatically expire, unless further extended by Oberlin City Council.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of 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.

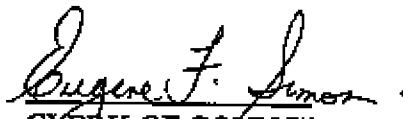
SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

"To immediately enact a moratorium on the establishment of new rooming houses within the City for a reasonable period of time in order to ensure responsible planning and development within the City"

and shall take effect immediately upon passage.

PASSED: 1st Reading - May 18, 1998  
2nd Reading - June 1, 1998 (E)  
3rd Reading -

ATTEST:

  
CLERK OF COUNCIL

  
CHAIR OF COUNCIL

POSTED: June 2, 1998

EFFECTIVE DATE: June 2, 1998