

ORDINANCE NO. 2022-054

AN ORDINANCE IMPOSING AN INDEFINITE MORATORIUM ON THE APPLICABILITY OF ORDINANCE NO. 2022-004 TITLED "MOBILE FOOD UNIT REGULATIONS" AS IT PERTAINS TO REGULATE VENDING, PEDDLING AND SOLICITING IN THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio (the "City") is a legally and regularly created, established, organized and existing municipal corporation under the provisions of the Constitution of the State of Ohio and the home rule charter of the City (the "Charter"); and

WHEREAS, Sections 5.12(8) and 5.13 of the Charter authorize the City Council to enact emergency ordinances for the preservation of public, health, peace, or safety upon the vote of seven (7) members of City Council; and

WHEREAS, the City of Kent currently regulates land uses within the City limits in accordance with Chapter 11 of the Kent Municipal Code pursuant to its Home Rule Constitutional authority and the Ohio Constitution; and

WHEREAS, the Kent City Council desires that the staff of the Law, Fire, and Health conduct a thorough analysis and assessment of Ordinance No. 2022-004, titled "Mobile Food Unit Regulations" and regulations therein; and

WHEREAS, the City Council has determined that it is necessary to declare an emergency for the preservation of public property, health, peace, and safety with the imposition of an indefinite moratorium on the applicability of the provisions of Ordinance No. *in toto*.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Kent City Council hereby authorizes an indefinite moratorium suspending the applicability of Ordinance No. 2022-004 titled "Mobile Food Unit Regulations" to enable a reasoned discussion and consideration of desired amendments to that Ordinance. Any inspections by the Health and Fire Department required under other ordinances or state laws are in no way affected by this moratorium

SECTION 2. it is found and determined that all formal actions of this Council concerning and 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 of Section 121.22 of the Ohio Revised Code.

SECTION 3. this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: May 18, 2022
Date

Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: May 18, 2022
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2022-054, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON May 18, 2022.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL
(SEAL)