

RESOLUTION NO. 2011-07

**A RESOLUTION IMPOSING A TEMPORARY MORATORIUM
UPON THE ESTABLISHMENT OF
INTERNET GAMING/SWEEPSTAKES CAFES IN THE VILLAGE OF PERRY
AND DECLARING AN EMERGENCY.**

WHEREAS, The Council of the Village of Perry has been advised that legitimate health, safety and general welfare concerns exist regarding the allowance of “internet gaming/sweepstakes cafes” in the Village; and

WHEREAS, Based upon information that has been provide Council (recently issued court rulings as well as actions taken by other political subdivisions throughout the County of Lake and the State of Ohio in recent months) regarding the regulation of these facilities, Council finds that the Village would greatly benefit from an opportunity to further study the aforesaid rulings and legislative enactments, attain additional information and determine what regulation is necessary, appropriate and in the best interests of the Village and its residents regarding same; and

WHEREAS, Further, to provide Council, the Planning Commission and the Village Administration sufficient time to conduct the research and inquiry necessary to make a thoughtful decision regarding the legality and appropriateness of said “cafes,” Council considers it fair, prudent and proper to adopt a Moratorium of not less than six (6) months duration upon the issuance of all applications for zoning permits, occupancy permits, building permits, etc. relating to and/or regarding such facilities; and

WHEREAS, Council further finds that any such use of property within the Village during the pendency of such a Moratorium would have the potential to cause irrevocable harm to the health, safety and general welfare of the Village; and

WHEREAS, Council finds it to be in the best interest of the residents of the Village that such a Moratorium be authorized and adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF PERRY, COUNTY OF LAKE, AND STATE OF OHIO, AS FOLLOWS:

Section 1. That a six (6) month Moratorium upon the creation, establishment, operation and/or development of internet gaming/sweepstakes cafes within the Village is hereby imposed, authorized, issued and adopted, and said Moratorium shall also apply to the submission, consideration and/or approval of all applications for zoning permits, occupancy permits, building permits, etc. relating to and/or regarding such facilities.

Section 2. That all formal actions of this Council concerning the passage of this Resolution were adopted in an open meeting, and all deliberations of this Council, or any of its Committees, which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

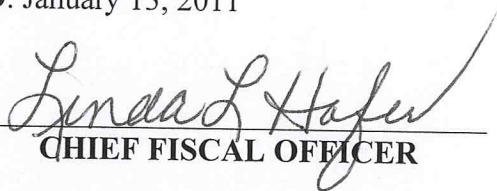
Section 3. That this Resolution is hereby declared to be and is passed as an emergency measure, the emergency being the need to manage the affairs of the Village in a prudent and responsible manner. Said Resolution is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Perry.

Wherefore, this Resolution shall be in full force and effect immediately upon its passage.


MAYOR

ADOPTED: January 13, 2011

ATTEST:


CHIEF FISCAL OFFICER