



City of West Allis

Legislation Details (With Text)

File #: R-2016-0169 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 6/21/2016 **In control:** Safety and Development Committee (INACTIVE)

On agenda: 6/21/2016 **Final action:** 6/21/2016

Title: Resolution to extend the previously imposed Moratorium on Tobacconists, Tobacco Shops and Vaping Shops, in the C-1 Central Business District, C-2 Neighborhood Commercial District, C-3 Community Commercial District, C-4 Regional Commercial District and M-1 Manufacturing District.

Sponsors: Safety and Development Committee (INACTIVE)

Indexes:

Code sections:

Attachments: 1. Signed Resolution

Date	Ver.	Action By	Action	Result
6/23/2016	1	Mayor	Signed/Enacted	
6/21/2016	1	Common Council	Adopted	Pass
6/21/2016	1	Safety and Development Committee (INACTIVE)		Pass
6/21/2016	1	Safety & Development Committee		
6/17/2016	1	Common Council		

Resolution to extend the previously imposed Moratorium on Tobacconists, Tobacco Shops and Vaping Shops, in the C-1 Central Business District, C-2 Neighborhood Commercial District, C-3 Community Commercial District, C-4 Regional Commercial District and M-1 Manufacturing District.

WHEREAS, the City of West Allis currently allows Tobacconists, Tobacco Shops and Vaping Shops as a permitted use in many commercially zoned locations throughout the City of West Allis in accordance with Chapter 12/Zoning and City Planning of the Revised Municipal Code; and,

WHEREAS, the Department of Development is preparing a proposed ordinance to amend the terms, conditions and restrictions under which such uses are to be granted; and,

WHEREAS, the City has no intention of permanently denying Tobacconists, Tobacco Shops and Vaping Shops occupancy permits to any qualified person, but seeks only a brief and temporary interval of occupancy permit issuance to consider if trends in the marketplace threaten to undermine the health, safety and welfare of West Allis residents; and,

WHEREAS, because the timely assistance, analysis and input from various City departments is needed to effectively review and evaluate zoning policy, the Common Council directs the Department of Development to evaluate this issue, and all City departments are directed to cooperate and participate in this review and evaluation process; and,

WHEREAS, it is in the City's interest to put all current applications that have not been granted and all future applications for new occupancy permits for Tobacconists, Tobacco Shops and Vaping Shops on hold until the proposed ordinance is introduced and acted upon; and,

WHEREAS, the previous moratorium resolution R-2016-0104, adopted April 4, 2016, indicated that the moratorium may be extended by the Common Council for up to an additional three months if review of the proposed ordinance is still

pending; and,

WHEREAS, a Public Hearing has been scheduled for July 5, 2016 to consider the adoption of an Ordinance to amend subsections 12.06, 12.40 and 12.42 of the Revised Municipal Code relative to Tobacco Retailers definitions and requirements.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the existing moratorium be extended on the granting and issuing of all aforementioned occupancy permits for a period of up to three months, if review and passage of the proposed ordinance is still pending.

BE IT FURTHER RESOLVED that this moratorium shall dissolve upon passage and publication of a new ordinance relative to secondhand article dealers.

cc: Attorney's Office
Department of Development

ZON-R-1054-6-21-16