



City of West Allis

Legislation Text

File #: R-2016-0104, **Version:** 2

Resolution to Impose a 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 Tobacconist, 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.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that a moratorium be imposed (effective April 5, 2016) on the granting and issuing of all aforementioned occupancy permits to Tobacconists, Tobacco Shops and Vaping Shops for a period of three months.

BE IT FURTHER RESOLVED 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.

BE IT FURTHER RESOLVED that said moratorium shall apply to the following zoning districts: 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.

BE IT FURTHER RESOLVED that said moratorium shall not apply to permitted use application applied for and granted prior to the effective date of this moratorium, or use applications previously granted by the Common Council, or applications for the same address, as long as the location of the establishment remains the same.

cc: Department of Development
Attorney's Office

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