

BOARD OF TRUSTEES
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KENDAL A. TRACY
MARK C. SCHULTE

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ERIC C. FERRY

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MIAMI TOWNSHIP

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RESOLUTION 2025-38

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on June 17, 2025, with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

RESOLUTION ESTABLISHING A 180-DAY MORATORIUM ON THE ACCEPTANCE OF ALL APPLICATIONS AND THE ISSUANCE OF ANY PERMITS FOR ANY TYPE OF RECYCLING CENTERS OR BUILDING MATERIALS STORAGE YARDS IN ANY ZONING DISTRICT ESTABLISHED WITHIN THE TOWNSHIP, DISPENSING WITH A SECOND READING, AND DECLARING AN EMERGENCY.

WHEREAS, The Miami Township Zoning Resolution allows for the operation of various types of commercial businesses in each of the underlying zoning districts in Miami Township (the "Township"); and

WHEREAS, The Township seeks to review and study the appropriateness of locating recycling centers and building materials storage yards within the Township as well as the impact they have on the environment and surrounding zoning districts as this may have harmful impacts on the public health, safety and welfare of Township residents; and

WHEREAS, the Township seeks to have the Board of Trustees pass a six-month moratorium to allow the Township Community Development Department and Zoning Commission to study and review the appropriate places to locate a recycling center business or materials storage yard in each of the underlying zoning districts in the Township.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio as follows:

SECTION 1: The Board hereby adopts and approves a 180-day moratorium on the acceptance of any applications or issuance of any zoning permits related to the operation of any

recycling center or building materials storage yard in each underlying zoning district in the Township to study and review the appropriate places to locate such businesses in the Township.

SECTION 2. This moratorium suspends and tolls the time periods prescribed by law within which the Township Community Development Department and the Zoning Commission, or any other public official or body within the Township is required to take action upon an application. No such action shall be deemed approved by the failure of the Zoning Commission or any other public official or public body to approve or deny an application during the time when this moratorium is in effect.

SECTION 3: The Board believes such a review is warranted and the Township Community Development Department and the Zoning Commission are instructed to review the Township Zoning Resolution for amendments to recognize and reflect the compatibility of the appropriateness of locating such businesses in the Township and how they may impact the surrounding land uses in the various zoning districts in the Township.

SECTION 4: The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 5: This Resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, welfare and morals of Miami Township specifically in order to allow for the review of uses in all zoning districts to take place until the Township Community Development Department and Zoning Commission have reviewed the matter and any recommendations have been considered by the Board, and this legislation shall take effect immediately upon its passage by the affirmative vote of all members of the Board.

SECTION 6: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7: This Resolution shall take effect at the earliest period allowed by law.

First Reading: June 17, 2025

Second Reading: Dispensed with

Effective: June 17, 2025

Trustee WOLFF made the Motion and it was seconded by TRACY. On the roll call being called the vote resulted as follows:

Mr. Schulte X

Mr. Tracy X

Ms. Wolff X

Resolution 2025-38 was adopted June 17, 2025.

ATTEST:

Eric C. Ferry

Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:

Joseph J. Braun

Joseph J. Braun,

Township Law Director

CERTIFICATION OF FUNDS

I hereby certify that at the time of making of this certification the amount required to meet the obligations set forth in this Resolution has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

Eric C. Ferry

Eric C. Ferry

Fiscal Officer, Miami Township