

# RECORD OF ORDINANCES

Ordinance No. 3727

Passed: June 28, 2022

**AN ORDINANCE IMPOSING A NINE MONTH MORATORIUM, FROM THE EFFECTIVE DATE OF THIS ORDINANCE, ON THE ISSUANCE OF PERMITS FOR OFF-SITE PREMISE SIGNS, TO ALLOW CITY COUNCIL TIME TO REVIEW THE RECOMMENDATIONS OF COUNSEL TO AMEND PORTIONS OF THE SIGN CODE AS IT RELATES TO A RECENT SUPREME COURT DECISION, AND DECLARING AN EMERGENCY.**

**WHEREAS,** A recent Ohio Supreme Court Decision, *Austin v. Reagan*, provides the authority for municipalities to prohibit Off-Premise signs: and

**WHEREAS,** The current sign code is already under review, therefore, it would be expedient to have all the needed amendments, if any, provided to Council at the same time for their consideration; and

**WHEREAS,** Council desires to have the sign code reviewed; and

**WHEREAS,** A nine-month moratorium on the issuance of permits for Off-Premise signs will provide time for staff to review the implications of the Courts decision and the best application for the City while giving Council adequate time to review any recommendations for change to the sign code by Counsel.

**NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, OHIO HEREBY ORDAINS:**

**SECTION 1:** That the City Council hereby imposes a nine-month moratorium on issuing any permits for Off-Premise signs. The purpose of the moratorium is to allow Council and staff time to review any recommendations by Counsel to amend any portion of the current sign code regulations that currently may be affected by the recent Supreme Court Decision in *Austin*.

**SECTION 2:** That the City Council hereby directs the Department of Planning and Code Enforcement not issue any permits or process applications for Off-Premise signs.

**SECTION 3:** That it is hereby found and determined that all formal actions of Council concerning and related to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and or any committees that resulted in formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

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**SECTION 4:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, welfare and morals for the reason that the current sign code is already under review and this measure will allow for a full and complete review of all court decisions effecting the sign code, and shall therefore take effect immediately upon its passage.

Passed: June 28, 2022

Attest: Tom Rugg  
Clerk of Council

[Signature]  
Mayor

Effective Date: June 28, 2022

### CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio hereby certifies the Ordinance to be true and a correct copy of Ordinance \_\_\_\_\_, adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of Council

Dated: \_\_\_\_\_