

RESOLUTION NO. 02-11
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCIL MEMBER Brooke Compton ON THE 24th
DAY OF January, 2011.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL
IMPOSING A MORATORIUM FOR A PERIOD OF SIX
MONTHS (180 DAYS) ON THE GRANTING OF ANY
PERMITS ALLOWING THE OPERATION OF
SWEEPSTAKES/INTERNET CAFES WITHIN THE CITY
OF CENTERVILLE.**

WHEREAS, the City of Centerville desires to coordinate regulations regarding the location and operation of businesses within the City, including Sweepstakes/Internet Cafés; and

WHEREAS, for the purposes of this Resolution, a "Sweepstakes/Internet Café" is defined as any premises upon which any "Computerized Sweepstakes Device", as defined below, is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever; and

WHEREAS, for the purposes of this Resolution, a "Computerized Sweepstakes Device" is defined as any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value that is not de minimis. Machines designated for use by the State Lottery Commission are not Computerized Sweepstakes Devices for purposes of this Resolution; and

WHEREAS, the State legislature and the Ohio Attorney General's Office are expected to consider these establishments in the near future and make further regulations concerning their future operations; and,

WHEREAS, the current City regulations do not adequately guide the permitting of the operation of Sweepstakes/Internet Cafés; and

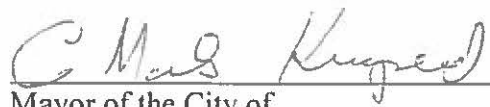
WHEREAS, the City Planner recommends reviewing and revising the current regulations to conform to the City's goals of providing adequate regulations; and

WHEREAS, a moratorium on the granting of permits which allow for the operation of Sweepstakes/Internet Cafés within the City of Centerville will allow the City time to accomplish these goals.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

- Section 1. Council recognizes the acute nature of the problem faced by the City in the operation of Sweepstakes/Internet Cafés which may disrupt the orderly growth and development of the City, and seeks a moratorium on permits for the operation of Sweepstakes/Internet Cafés to preserve the public peace, health, safety, and welfare of the citizens of Centerville.
- Section 2. The City Manager and City Planner hereby recommend imposing within the City a moratorium on the processing of new applications for permits for the operation of Sweepstakes/Internet Cafés. The purpose of this recommendation is so the City may prepare new regulations, if necessary, which will guide the location and operation of Sweepstakes/Internet Cafés.
- Section 3. Council seeks to limit the duration of the moratorium and to instruct the Centerville Planning Commission, City Manager, and City Planner to immediately investigate, review and recommend comprehensive regulations for the location and operation of Sweepstakes/Internet Cafés within the six month period of the moratorium.
- Section 4. Council hereby accepts the recommendation of the City Manager, and City Planner and hereby imposes a moratorium on permits for the operation of Sweepstakes/Internet Cafés for a period of six (6) months (180 days).
- Section 5. Council further finds that a moratorium for six (6) months (180 days) is reasonable and will allow the Centerville Planning Commission, City Manager, and City Planner to propose and initiate action to address the issues outlined herein.
- Section 6. Council hereby directs and orders that no permits for the operation of Sweepstakes/Internet Cafés be accepted or allowed during the six month (180 days) period of this moratorium.
- Section 7. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 24th day of January, 2011.



Mayor of the City of
Centerville, Ohio

ATTEST:

Assistant *Janice M. Weaver*
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 02-11, passed by the Council of the City of Centerville, Ohio on the 24th day of January, 2011.

Assistant *Janice M. Weaver*
Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney