

**BOARD OF TOWNSHIP TRUSTEES  
BLENDON TOWNSHIP  
FRANKLIN COUNTY, OHIO**

The Board of Township Trustees (the "Board") of Blendon Township (the "Township"), Franklin County, Ohio, met in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_\_\_ am/pm. at 6350 South Hempstead Road, Westerville, Ohio 43081, with the following members present:

Stewart Flaherty  
Jan Heichel  
James Welch

M. \_\_\_\_\_ introduced the following resolution regarding the form of limited home rule resolutions for the Township and moved its passage:

**BLENDON TOWNSHIP LIMITED HOME RULE RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION IMPOSING A MORATORIUM OF SIX (6) MONTHS ON THE  
OPERATION AND LOCATION OF MOBILE FOOD UNITS WITHIN BLENDON  
TOWNSHIP, FRANKLIN COUNTY, OHIO**

**AND  
DISPENSING WITH THE SECOND READING  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Township adopted a limited home rule form of government pursuant to Ohio Revised Code Chapter 504; and

**WHEREAS**, the Board, pursuant to the provisions of Ohio Revised Code 504.04, has the authority to exercise all powers of local self-government within the unincorporated area of the Township; and

**WHEREAS**, there has been a significant increase in the popularity of Mobile Food Units, as that term is hereinafter defined, in recent years; and

**WHEREAS**, the Blendon Township Zoning Resolution does not specifically recognize Mobile Food Units; and

**WHEREAS**, the Township and the Board have a substantial interest in understanding the impact of the operation and location of Mobile Food Units on property located in and property owners and residents of, the Township; and

**WHEREAS**, the Board desires to clearly define Mobile Food Units and adopt regulations regarding the permitted operation and location of Mobile Food Units within the Township; and

**WHEREAS**, a moratorium of six (6) months on the operation and location of Mobile Food Units within the Township would allow the Board, Township Staff, and Zoning Department to accumulate information about the operation of Mobile Food Units within the Township and review applicable statutes, codes, ordinances, resolutions, and/or other promulgated restrictions relative to such issues; and

**WHEREAS**, the Board has determined that it is in the best interest of the Township to place a six (6) month moratorium on the operation and location of Mobile Food Units within the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Blendon Township, Franklin County, Ohio, that:

**Section 1.** The Board of Trustees hereby establishes and imposes a six (6) months moratorium, from the effective date of this Resolution, on the operation and location of Mobile Food Units within the Township. For the purposes of this Resolution, the definition of a Mobile Food Unit shall be a food or kitchen truck, trailer or cart, or other mobile or readily transportable establishment, that, as part of its operation, prepares, serves, and/or vends food.

**Section 2.** Each violation of Section 1 of this Resolution shall be punishable by an unclassified civil fine in the amount of \$1,000.00.

**Section 3.** The Board directs the Zoning Inspector and Township Administrator to undertake a review of and accumulate information about the operation of Mobile Food Units within the Township and review applicable statutes, codes, ordinances, resolutions, and/or other promulgated restrictions relative to such issues.

**Section 4.** The moratorium shall be in effect for a period of six (6) months from the effective date of this Resolution, until the Township enacts a resolution to address these issues, or until the Board approves legislation explicitly revoking this moratorium, whichever comes first.

**Section 5.** The Board, upon majority vote, does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

**Section 6.** This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Township and its inhabitants to ensure that Mobile Food Units are able to operate in a manner that facilitates economic growth opportunities for said operations, and also promotes a healthy and safe environment within the Township.

**Section 7.** Should any one or more sections, or parts thereof, of this Resolution be adjusted unconstitutional or otherwise unenforceable by any court or other body or person empowered to do so, this adjudication shall not invalidate those sections, or parts thereof, not deemed to be unenforceable.

**Section 8.** It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 9.** This Resolution shall take effect at the earliest time allowed by law.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
ACKNOWLEDGEMENT PAGE TO FOLLOW

Following its introduction, the resolution was read by the Township Fiscal Officer by title only.

M\_\_\_\_ moved the adoption of the Resolution and the motion was seconded by M\_\_\_\_. Roll was called on the question of adoption and the results were:

Vote Record:	Yea	Nay
Stewart Flaherty	___	___
Jan Heichel	___	___
James Welch	___	___

The Resolution \_\_\_\_\_ (insert pass or failed).

First Reading: \_\_\_\_\_, 2019  
Second Reading: waived  
Effective: \_\_\_\_\_, 2019

Adopted: \_\_\_\_\_, 2019

**BOARD OF TOWNSHIP TRUSTEES  
BLENDON TOWNSHIP  
FRANKLIN COUNTY, OHIO**

Attest: \_\_\_\_\_  
Fiscal Officer

\_\_\_\_\_  
Township Trustee

\_\_\_\_\_  
Township Trustee

\_\_\_\_\_  
Township Trustee

APPROVED AS TO FORM:

\_\_\_\_\_  
Township Law Director

CERTIFICATION

The undersigned Fiscal Officer of the Board of Township Trustees of Blendon Township, Franklin County, Ohio hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Township Trustees of said Township and filed with the Township Fiscal Officer on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Fiscal Officer  
Blendon Township, Franklin County, Ohio

CERTIFICATE OF PUBLICATION

I, \_\_\_\_\_, Fiscal Officer of Blendon Township, Franklin Township, Ohio do hereby certify that a summary of this resolution was published in the newspapers listed below on the dates listed below:

\_\_\_\_\_ and \_\_\_\_\_, 2019

\_\_\_\_\_ and \_\_\_\_\_, 2019

\_\_\_\_\_  
Fiscal Officer,  
Blendon Township, Franklin County, Ohio