

RESOLUTION NO. 2026 - 7

A RESOLUTION EXTENDING THE TEMPORARY MORATORIUM ENACTED BY RESOLUTION 2025-18 AND EXTENDED BY RESOLUTION 2025-68, FOR AN ADDITIONAL SIX (6) MONTHS, PROHIBITING THE ACCEPTANCE OF APPLICATIONS FOR, AND THE GRANTING OF, ZONING APPROVALS, BUILDING PERMITS, AND CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD BE ASSOCIATED WITH THE DISTRIBUTION OR SALE OF VAPING/E-CIGARETTE PRODUCTS AND PROHIBITING THE COMMENCEMENT OF THE ACTUAL DISTRIBUTION AND SALE OF SUCH PRODUCTS WITHIN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting areas used for business and trade and regulating certain business uses; and

WHEREAS, on March 24, 2025, this Council adopted Resolution 2025-18 establishing a six (6) month moratorium prohibiting the acceptance of applications for, and the granting of, zoning approvals, building permits, and certificates of occupancy for any building, structure, use, or change of use that would be associated with the distribution or sale of vaping/e-cigarette products and prohibiting the commencement of the actual distribution and sale of such products within the City of Parma Heights.

WHEREAS, on September 8, 2025, this Council adopted Resolution 2025-68 extending the foregoing moratorium an additional six (6) months; and

WHEREAS, the Administration and Council require additional time to further review applicable laws in order to consider reasonable regulations to protect the health, welfare, safety, peace, and comfort for the citizens of the City of Parma Heights; and

WHEREAS, this Council desires to extend the moratorium, for a temporary period of time, not to exceed six (6) months from the date of passage of this Resolution, prohibiting the acceptance of applications for, and the granting of, zoning approvals, building permits, and certificates of occupancy for any building, structure, use, or change of use that would be associated with the distribution or sale of vaping/e-cigarette products and prohibiting the commencement of the actual distribution and sale of such products within the City of Parma Heights.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1: That this Council hereby approves an additional extension for a period of six months from the date of passage of this Resolution of the temporary moratorium established by Resolution 2025-18 and extended by Resolution 2025-68, prohibiting the acceptance of any application for, or the granting of, any zoning approvals, building permits, and certificates of occupancy for any building, structure, use, expansion of use, or change of use that would be associated with the distribution or sale of vaping/e-cigarette products and prohibiting the actual distribution or sale of such products in the City of Parma Heights, Ohio.

Section 2: This moratorium shall be in effect for an additional period not to exceed six (6) months or until Council enacts an Ordinance or Resolution revoking this moratorium, whichever shall occur sooner.

Section 3: This moratorium shall specifically not apply to the acceptance of any application for, or the granting of, any zoning approvals, building permits, conditional use permits, marijuana dispensary licenses, and/or certificates of occupancy for any building, structure, use, expansion of use, and/or change of use that would be associated with marijuana dispensaries with applications for licenses, licenses, and/or provisional licenses under O.R.C. Chapters 3780 and/or 3796, within the City of Parma Heights, Ohio, as Council has already enacted regulations for such uses.

Section 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 5: This Council declares this Resolution to be an emergency measure for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that an extension of the moratorium is necessary to enable the study and regulation of businesses engaging in the distribution or sale of vaping/e-cigarette products; wherefore, this Resolution shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: February 23, 2026 Thomas Rounds
PRESIDENT OF COUNCIL

ATTEST: Barbara Allen February 23, 2026
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: February 23, '26 M Gallo
MAYOR MARIE GALLO