

**BOARD OF TRUSTEES
JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO**

RESOLUTION NO 26-107

JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO

**Resolution Establishing a Temporary Moratorium on the Acceptance, Processing, and Approval of
Applications for New or Expanded Car Lots, Motor Vehicle Repair Shops, Tire Shops, Tire Repair
Shops, Junk Yards, and Similar Vehicle-Related Uses in Jefferson Township, Montgomery County,
Ohio**

The Board of Trustees of Jefferson Township, Montgomery County, Ohio, met at a special meeting on July 20, 2026, at 1:00p.m. at the Township Offices located at 1 Business Park Dr., Dayton, Ohio, with the following members present:

Oscar Young (/) Sheila Back (/) Vera Powell (/)

Moved by: Powell () Back (/) Young ()
Second by: Powell () Back () Young (/)

Recitals and Findings

WHEREAS, Jefferson Township is a township located in Montgomery County, Ohio, and the Board of Township Trustees of Jefferson Township, Montgomery County, Ohio, is the duly constituted legislative authority for the Township; and

WHEREAS, pursuant to Ohio Revised Code Chapter 519, including R.C. § 519.02, a board of township trustees may regulate, by resolution and in accordance with a comprehensive plan, the location and use of buildings, structures, and land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township, in the interest of public health, safety, convenience, comfort, prosperity, and general welfare; and

WHEREAS, amendments to a township zoning resolution may be initiated and processed under R.C. § 519.12, including review by the township zoning commission, public hearings, notice, and action by the Board of Township Trustees; and

WHEREAS, the Board recognizes that certain vehicle-related commercial and industrial uses, including car lots, motor vehicle repair shops, tire shops, tire repair shops, junk yards, salvage yards, and substantially similar uses, may have significant impacts on traffic circulation, parking, outdoor storage, stormwater runoff, environmental conditions, neighborhood compatibility, noise, lighting, property values, and the public health, safety, and general welfare; and

WHEREAS, the Board finds that Jefferson Township should review its existing zoning regulations, definitions, district permissions, conditional-use standards, site-development standards, screening requirements, outdoor-storage requirements, buffering requirements, operational standards, and enforcement provisions as they relate to vehicle-related uses; and

WHEREAS, the Board further finds that, during the review and amendment process, the acceptance, processing, or approval of new or expanded applications for such uses could result in land-use commitments that may frustrate or undermine the Township's ongoing planning and zoning review; and

WHEREAS, the Board intends that this Resolution be temporary, reasonable in duration, limited in scope, and adopted for the purpose of preserving the status quo while the Township considers appropriate zoning text and/or map amendments under Ohio law; and

WHEREAS, nothing in this Resolution is intended to impair lawful existing uses, vested rights, or nonconforming uses protected by Ohio law, nor is it intended to regulate any use or activity beyond the scope of authority conferred upon townships under Ohio law, including the limitations stated in R.C. § 519.21.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Jefferson Township, Montgomery County, Ohio, that:

1.- Purpose

The purpose of this Resolution is to impose a temporary moratorium on the acceptance, processing, review, and approval of applications, permits, zoning certificates, conditional-use approvals, zoning amendments, site plans, or other Township approvals for new or expanded vehicle-related uses, as defined in this Resolution, in order to allow Jefferson Township sufficient time to study, prepare, consider, and adopt appropriate zoning regulations governing such uses.

2.- Definitions

For purposes of this Resolution only, the following terms shall have the meanings stated below. These definitions are intended to be construed broadly to effectuate the temporary and protective purpose of this Resolution.

2.1.- Car Lot

Car Lot means any premises, lot, building, structure, or portion thereof used or proposed to be used for the sale, resale, lease, rental, display, storage, consignment, brokering, or offering for sale of motor vehicles, whether new or used, including automobiles, trucks, vans, recreational vehicles, trailers, motorcycles, or other motorized vehicles.

2.2.- Motor Vehicle Repair Shop

Motor Vehicle Repair Shop means any premises, lot, building, structure, or portion thereof used or proposed to be used for the diagnosis, servicing, maintenance, repair, painting, body work, mechanical work, electrical work, detailing, reconditioning, rebuilding, or restoration of motor vehicles, whether as a principal use or accessory use.

2.3.- Tire Shop

Tire Shop means any premises, lot, building, structure, or portion thereof used or proposed to be used for the sale, resale, installation, mounting, balancing, display, storage, or disposal of new or used tires.

2.4.- Tire Repair Shop

Tire Repair Shop means any premises, lot, building, structure, or portion thereof used or proposed to be used for patching, plugging, retreading, repairing, removing, replacing, installing, mounting, balancing, storing, or disposing of tires.

2.5.- Junk Yard

Junk Yard means any premises, lot, building, structure, or portion thereof used or proposed to be used for the collection, storage, keeping, dismantling, processing, salvaging, recycling, sale, resale, or disposal of junk, scrap, discarded materials, inoperable vehicles, wrecked vehicles, vehicle parts, machinery, appliances, metals, tires, or similar materials, whether or not conducted for profit.

2.6.- Vehicle-Related Use

Vehicle-Related Use means any Car Lot, Motor Vehicle Repair Shop, Tire Shop, Tire Repair Shop, Junk Yard, salvage yard, automobile dismantling operation, vehicle storage yard, impound yard, towing storage yard, or substantially similar use involving the sale, storage, servicing, repair, dismantling, salvage, or disposal of motor vehicles, vehicle parts, or tires.

2.7.- New or Expanded Use

New or Expanded Use means any Vehicle-Related Use that is not lawfully existing as of the effective date of this Resolution, or any enlargement, intensification, expansion, relocation, change in use, change in occupancy, increase in outdoor storage area, increase in number of vehicles or tires stored or displayed, or other material modification of a lawfully existing Vehicle-Related Use.

3.- Temporary Moratorium Imposed

For a period of **three hundred sixty-five (365) days** beginning on the effective date of this Resolution, Jefferson Township shall not accept, process, review, schedule for hearing, recommend approval of, approve, issue, or grant any application, permit, zoning certificate, conditional-use approval, variance, zoning amendment, site-plan approval, occupancy approval, or other Township authorization for any New or Expanded Vehicle-Related Use within the unincorporated territory of Jefferson Township.

4.- Scope of Moratorium

The moratorium established by this Resolution applies to all New or Expanded Vehicle-Related Uses, including but not limited to:

1. Car lots;
2. Motor vehicle repair shops;
3. Tire shops;
4. Tire repair shops;
5. Junk yards;
6. Salvage yards;
7. Automobile dismantling operations;

8. Vehicle storage yards;
9. Impound yards;
10. Towing storage yards; and
11. Any substantially similar use, whether denominated by another name or combined with another use.

5.- Pending Applications

Any application for a New or Expanded Vehicle-Related Use that was filed but not finally approved before the effective date of this Resolution shall be held in abeyance during the moratorium period. No vested right shall be created by the filing, pendency, or incomplete processing of any application unless such right is otherwise established under applicable Ohio law.

6.- Existing Lawful Uses Not Prohibited

This Resolution does not prohibit the continued lawful operation of any Vehicle-Related Use that was lawfully existing and operating before the effective date of this Resolution, provided that such use is not expanded, enlarged, intensified, relocated, or materially modified during the moratorium period without all approvals required by law.

7.- Ordinary Repairs and Safety Work

Nothing in this Resolution shall prohibit ordinary maintenance, repair, safety work, or emergency work necessary to preserve an existing lawful structure or lawful existing use, provided that such work does not create, expand, enlarge, intensify, relocate, or materially modify a Vehicle-Related Use.

8.- Direction to Township Officials

The Township Zoning Inspector, Township Administrator, Township staff, Township Zoning Commission, Board of Zoning Appeals, and all other Township officials and bodies are directed to take all actions necessary and appropriate to implement this Resolution, including declining to accept or process applications subject to the moratorium and advising applicants of the temporary moratorium period.

9.- Zoning Review and Proposed Amendments

During the moratorium period, the Board of Township Trustees directs Township staff, the Township Zoning Inspector, the Township Zoning Commission, and any consultants or legal counsel retained by the Township to review the Township Zoning Resolution and recommend any appropriate amendments concerning Vehicle-Related Uses, including but not limited to:

1. Definitions and classification of Vehicle-Related Uses;
2. Districts in which such uses should be permitted, conditionally permitted, or prohibited;
3. Minimum lot area, frontage, setbacks, access, and circulation standards;
4. Parking, loading, stacking, and driveway standards;
5. Outdoor display and outdoor storage standards;
6. Screening, buffering, fencing, landscaping, and lighting requirements;
7. Noise, hours of operation, waste handling, tire storage, vehicle storage, and environmental protection standards;

8. Requirements for paved or improved surfaces, stormwater controls, and drainage;
9. Separation or spacing standards from residential districts, schools, parks, churches, and other sensitive uses;
10. Enforcement procedures and penalties; and
11. Any other standards reasonably related to the public health, safety, convenience, comfort, prosperity, and general welfare.

Any proposed zoning text or map amendment shall be initiated and processed in accordance with Ohio Revised Code Chapter 519, including R.C. § 519.12, as applicable.

10.- Extension or Early Termination

The Board of Township Trustees may terminate this moratorium earlier than the expiration date by subsequent resolution.

The Board may consider **one extension** of this moratorium by subsequent resolution only if the Board makes written findings that additional time is reasonably necessary to complete the zoning review, public hearing, recommendation, adoption, effective-date, and related administrative processes required by Ohio law. Any extension shall be limited to the additional time reasonably necessary to complete those processes, shall be supported by updated findings regarding the status of the Township's zoning review, and shall remain subject to applicable law.

11.- No Waiver of Other Laws

This Resolution does not waive, supersede, or limit any other applicable federal, state, county, or township law, regulation, permit requirement, nuisance authority, licensing requirement, environmental requirement, building requirement, fire code requirement, or zoning requirement. All Vehicle-Related Uses remain subject to all otherwise applicable laws and regulations.

12.- Severability

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is held invalid, unlawful, or unconstitutional by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Resolution. The Board declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, and portion thereof irrespective of the fact that any one or more portions may be declared invalid.

13.- Repealer

All resolutions, orders, policies, or parts thereof that are inconsistent with this Resolution are hereby repealed only to the extent of such inconsistency and only for the duration of this Resolution.

14.- Effective Date

This Resolution shall take effect at the earliest time permitted by law upon adoption by the Board of Township Trustees of Jefferson Township, Montgomery County, Ohio, and shall remain in effect for three hundred sixty-

five (365) days unless earlier terminated or lawfully extended by subsequent action of the Board in accordance with this Resolution.

15.- Certification

The undersigned Fiscal Officer of Jefferson Township, Montgomery County, Ohio, hereby certifies that the foregoing Resolution was duly adopted by the Board of Township Trustees of Jefferson Township at a meeting held on **July 20, 2026** and that the vote on the Resolution was as follows:

The vote on the Resolution was as follows:

Oscar Young

Yes No Abstain

Sheila Back

☒ Yes No Abstain

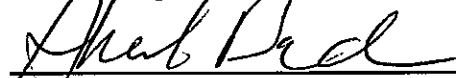
Vera Powell

☒ Yes No Abstain

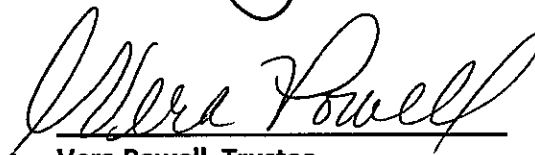
Adopted: 20th day of July 2026

Signed by:

Oscar Young, President



Sheila Back, Vice President



Vera Powell, Trustee



Attest to Trustees Signatures:

Adrennia Kelly Fiscal Officer