

ORDINANCE NO. 990

AN ORDINANCE RENEWING A MORATORIUM IMPOSED BY ORDINANCE 974 TO PROHIBIT THE USE OF ALL FUTURE MOBILE COMMERCIAL BUSINESSES FOR AN ADDITIONAL PERIOD OF SIX MONTHS OPERATING WITHIN THE CITY LIMITS AND THE UNINCORPORATED TERRITORY LOCATED WITHIN ONE MILE OF THE CITY LIMITS.

WHEREAS, on September 10, 2013, the City Commission approved the first reading of Ordinance 974 adopting a Moratorium to prohibit all future mobile businesses for a period of six months operating within the City limits, followed by the second reading of said Moratorium approved on September 24, 2013;

WHEREAS, said Moratorium was in response to the consideration of adopting new mobile business regulations within the City, given the nuances evolving from the mobile business industry, which intend to operate outside of the City's pre-existing ordinances in effect;

WHEREAS, Ordinance 982, 985-B, and 988 was brought before the City Commission hearing on February 11, 2014 which would prohibit mobile businesses in the City, create additional regulations for home occupations, and provide additional regulations for transient merchants;

WHEREAS, action on said City Commission hearing was made to table these proposed ordinances for additional discussion to be addressed by an assigned Review Committee;

WHEREAS, the existing Moratorium under Ordinance 974 is due to expire March 24, 2014;

WHEREAS, a renewal of the Moratorium is in the best interest of the City and is needed to preserve the public health, safety, and general welfare of the residents in the City; and

NOW THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the City of Williston, North Dakota, as follows:

SECTION 1 FINDING OF FACT

The City of Williston adopts the forgoing recitals as findings of fact and incorporates herein these findings of fact in support of Ordinance 974.

SECTION 2 RENEWAL OF MORATORIUM

The Moratorium adopted in Ordinance 974 shall be renewed.

SECTION 3 EFFECTIVE DATE

This Ordinance shall take effect on March 24, 2014.

SECTION 4 DURATION

This Ordinance shall extend an additional period of six months from March 24, 2014 to September 24, 2014, unless repealed, extended or modified by the City Commission.

Commissioner Bekkedahl moved the adoption of the foregoing Ordinance.

The motion was seconded by Commissioner Brostuen. On roll call vote of

The Commissioners, the following Commissioners voted "AYE": Klug, Cymbaluk, Brostuen, Bekkedahl and Koeser, and

The following Commissioners voted "NAY": None.

Absent and not voting: None.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this 25th day of March, 2014.

ATTEST:

APPROVED:

John Kautzman, City Auditor

Ward Koeser, President
Board of City Commissioners

PASSED FIRST READING: March 11th, 2014

PASSED SECOND READING: March 25th, 2014

PUBLISHED: _____

ADOPTED THIS 25th Day of March, 2014