

**RESOLUTION DECLARING A MORATORIUM REGARDING
WAIVER OF DEPOT PARK USAGE FEES**

RECITALS

WHEREAS, a resident has challenged the legality of the City Council waiving Depot Park fee and challenging the City's published fee schedule for utilizing Depot Park; and

WHEREAS, the City Council wishes to study these issues to establish a comprehensive fee waiver protocol (if any) and an updated cost schedule for Depot Park usage using current DPW costs and other related costs of usage, to be updated by City Council Resolution on an annual basis; and

WHEREAS, to establish these two goals, the City Council believes a moratorium on any fee waivers should be established, pending final resolution of these issues by City Council.

NOW, THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston City Council declares a moratorium effective June 24, 2024 until September 24, 2024 for the waiver of Depot Park fees.

BE IT FURTHER RESOLVED that during the effective period of this moratorium any aggrieved person or entity shall be entitled to a hearing for the purpose of attempting to demonstrate to the City Council the temporary moratorium pronounced in this Resolution will result in an extreme economic hardship to the person or entity, or otherwise violates applicable state or federal law. Such hearing shall be conducted on an expedited basis before the City Council. At the conclusion of the hearing, the City Council shall make findings with respect to whether the Petitioner has demonstrated this moratorium on its face or applied constitutes an unreasonable economic burden on the applicant or a violation of applicable constitution or law. If it is found and demonstrated the moratorium has an unreasonable economic burden on the

person or entity, or that it violates law or constitutional provision, the City Council shall grant relief from the moratorium to the degree necessary to cure the specific harm in question.

The following Resolution was moved by _____
and supported by _____.

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I, _____, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of a Resolution adopted by the City of the Village of Clarkston at its regular meeting held on _____, 2024.

DATED: _____
_____, City Clerk