

RESOLUTION NO. 70-18

A RESOLUTION OBJECTING TO THE LIQUOR PERMIT TRANSFER FROM MEDINA STEAKHOUSE INC. dba MEDINA STEAKHOUSE AND SALOON & PORCH & PATIO TO RECOVERY CENTER OF MEDINA COUNTY, SERENITE RESTAURANT & PORCH & PATIO, 538 WEST LIBERTY STREET, AND DECLARING AN EMERGENCY.

WHEREAS: Section 4303.27.1(B) of the Ohio Revised Code provides the legislative authority with the right to object to the transfer of a liquor permit and to request a local hearing; and

WHEREAS: Section 4303.292 (A)(1)(b) of the Ohio Revised Code allows for objection to the transfer of a permit if the applicant “has operated liquor permit businesses in a manner that demonstrates a disregard for the laws, regulations, or local ordinances of this state or any other state”; and

WHEREAS: Section 4303.292 (A)(2)(a) of the Ohio Revised Code allows for the objection to the transfer of a permit if the place for which the permit is sought “does not conform to the building, safety, or health requirements of the governing body of the county or municipal corporation in which the place is located.”; and

WHEREAS: Section 4303.292(A)(2)(c) of the Ohio Revised Code allows for an objection to the transfer of a permit if the place for which the permit is sought "is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace, or good order would result from the issuance, renewal, transfer of location, or transfer of ownership of the permit and operation thereunder by the application."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the legislative authority of the City of Medina, Ohio, hereby objects to the transfer of the D1, D2 and D3 liquor permits from Medina Steakhouse Inc., dba Medina Steakhouse and Saloon & Porch & Patio to Recovery Center of Medina County Serenite Restaurant & Porch & Patio, 538 West Liberty Street, Permit Number 7240010, and requests a local hearing based upon the objections as set forth above.

SEC. 2: That this Resolution shall be considered an emergency measure as a result of the negative impact in combining a heroin recovery center with a business that serves alcohol in violation of the public peace, health, safety, and welfare of the citizens of the community; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: April 9, 2018

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: April 9, 2018

SIGNED: Dennis Hanwell
Mayor