Legislation Details (With Text)

File #:	0371X-2018 **Version:** 1		
Type:	Resolution	**Status:**	Passed
File created:	11/20/2018	**In control:**	Public Safety Committee
On agenda:	12/3/2018	**Final action:**	12/6/2018
Title:	To object to the renewal of liquor permit number 0727770 held by BK BEVERAGE CENTER, LLC., doing business as BROTHER'S DRIVE THRU, located at 1535 E. Livingston Avenue, Columbus, Ohio 43205; and to declare an emergency.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Support Ltd CPD - Brothers Drive Thru		

Date	Ver.	Action By	Action	Result
12/6/2018	1	CITY CLERK	Attest	
12/5/2018	1	ACTING MAYOR	Signed	
12/3/2018	1	COUNCIL PRESIDENT	Signed	
12/3/2018	1	Columbus City Council	Adopted	Pass

To object to the renewal of liquor permit number 0727770 held by BK BEVERAGE CENTER, LLC., doing business as BROTHER'S DRIVE THRU, located at 1535 E. Livingston Avenue, Columbus, Ohio 43205; and to declare an emergency.

WHEREAS, City Council desires to object, pursuant to Sections 4303.271 and 4303.292 of Ohio Revised Code, to the renewal of liquor permit number 0727770 held by BK BEVERAGE CENTER, LLC., doing business as BROTHER'S DRIVE THRU, located at 1535 E. Livingston Avenue, Columbus, Ohio 43205.

WHEREAS, evidence from the Columbus Division of Police and the Columbus City Attorney's office (see attached file "Columbus Division of Police Letter BK BEVERAGE CENTER, LLC. - BROTHER'S DRIVE THRU) was presented to City Council as to the suitability of this permit holder and establishment to maintain liquor permit number 0727770; and

WHEREAS, an emergency exists in the usual daily operation of City Council in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare: now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Columbus City Council desires to object, pursuant to state statue, to the renewal of liquor permit number 0727770 held by BK BEVERAGE CENTER, LLC., doing business as BROTHER'S DRIVE THRU, located at 1535 E. Livingston Avenue, Columbus, Ohio 43205.

Section 2. That City Council, based on evidence provided by the Columbus Division of Police and the Columbus City Attorney's office, hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse

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the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operations thereunder by the applicant, which also is a basis to refuse liquor permit renewal under 4303.292 (A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4307.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor either approves nor vetoes the same.

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