



## Legislation Text

---

**File #: 0284X-2013, Version: 1**

---

To object to the renewal of liquor permit number 2850638 held by 1493 WEST BROAD INC, doing business as WEST BROAD CARRY OUT, located at 1493 W. Broad St., Columbus, Ohio 43222, and to declare an emergency.

**WHEREAS**, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of liquor permit number 2850638 held by 1493 WEST BROAD INC, doing business as WEST BROAD CARRY OUT, located at 1493 W. Broad St., Columbus, Ohio 43222; and

**WHEREAS**, on December 17, 2012, City Council passed resolution 0225X-2012 to object to the renewal of permit number 2850638. At the December 17th City Council meeting, evidence from the Columbus Division of Police and the Columbus City Attorney's office (see attached file "Columbus Division of Police Letter - 1493 West Broad Inc-West Broad Carry Out") was presented to City Council as to the suitability of the permit holder and establishment to maintain liquor permit number 2850638; and

**WHEREAS**, a hearing was held by the Division of Liquor Control on April 8, 2013 to hear the objection to permit number 2850638, however a Division Order has not been issued; and

**WHEREAS**, City Council desires to restate its objection to the renewal of permit number 2850638; 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 the Columbus City Council desires to object pursuant to state statute to the renewal of liquor permit number 2850638 held by 1493 WEST BROAD INC, doing business as WEST BROAD CARRY OUT, located at 1493 W. Broad St., Columbus, Ohio 43222.

**Section 2.** That the 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 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 operation thereunder by the applicant, which also is a basis to refuse a 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 4303.271(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 neither approves nor vetoes the same.