



Legislation Text

File #: 0285X-2013, **Version:** 1

To object to the renewal of liquor permit number 2405495 held by EASTSIDE FISH & PRODUCE INC, doing business as SOUTHEAST FISH & PRODUCE, located at 981 E. Livingston Ave., Columbus, Ohio 43205, 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 2405495 held by EASTSIDE FISH & PRODUCE INC, doing business as SOUTHEAST FISH & PRODUCE, located at 981 E. Livingston Ave., Columbus, Ohio 43205; and

WHEREAS, on December 17, 2012, City Council passed resolution 0221X-2012 to object to the renewal of permit number 2405495. 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 - Eastside Fish & Produce Inc-Southeast Fish & Produce") was presented to City Council as to the suitability of the permit holder and establishment to maintain liquor permit number 2405495; and

WHEREAS, a hearing was held by the Division of Liquor Control on September 12, 2013 to hear the objection to permit number 2405495, however a Division Order has not been issued; and

WHEREAS, City Council desires to restate its objection to the renewal of permit number 2405495; 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 2405495 held by EASTSIDE FISH & PRODUCE INC, doing business as SOUTHEAST FISH & PRODUCE, located at 981 E. Livingston Ave., Columbus, Ohio 43205.

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.