REQUESTED BY: NOVAK

LAW DEPARTMENT DRAFT NO.3702

TITLE

A RESOLUTION FOR THE PURPOSE OF:
OBJECTING TO THE RENEWAL OF LIQUOR
PERMIT NO. 3479558 HELD IN THE NAME
OF HABOSKY DAVIDSON ENTERPRISES,
INC., DBA POWERHOUSE BAR AND GRILL
FOR 999 MAHONING AVENUE AND PATIO,
IN THE CITY OF WARREN, OHIO;
REQUESTING A COMPLETE HEARING UPON
THE ADVISABILITY OF SAID RENEWAL;
AND DECLARING AN EMERGENCY.

RESOLUTION NO. 4623/

WHEREAS, this Council has been notified by the Ohio Department of Commerce, Division of Liquor Control, of the proposed renewal of Liquor Permit No.3479558 held in the name of Habosky Davidson Enterprises, Inc. dba Powerhouse Bar and Grill for 999 Mahoning Avenue and Patio in the City of Warren, Ohio; and

WHEREAS, as to the aforementioned permit, this Council finds and concludes {per Section 4303.292(A)(1)(a), ORC} that the applicant, a member or officer or manager of the applicant, or a member owning five per cent or more of either the voting interests or membership interests in the limited liability company has been convicted of a crime that relates to fitness to operate a liquor establishment; and

WHEREAS, as to the aforementioned permit, this Council finds and concludes {per Section 4303.292(A)(1)(b), ORC} that the applicant, a member or officer or manager of the applicant, or a member owning five percent or more of either the voting interests or membership interests in the limited liability company has operated liquor permit businesses in a manner that demonstrates a disregard for the laws, regulations, or local ordinances of the State of Ohio and the City of Warren, Ohio; and

WHEREAS, as to the aforementioned permit, this Council finds and concludes {per Section 4303.292(A)(1)(c), ORC} that the applicant, a member or officer or manager of the applicant, or a member owning five per cent or more of either the voting interests or membership interests in the limited liability company has misrepresented a material fact in applying to the Division of Liquor Control for a permit; and

WHEREAS, as to the aforementioned permit, this Council finds and concludes {per Section 4303.292(A)(2)(c), ORC} that the place for which the liquor permit is sought to be renewed 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 under it by the applicant; and

WHEREAS, Section 4303.271(B), ORC, provides this Council with the right to object to the renewal of a liquor permit within the City of Warren and the right to request a hearing thereon; NOW THEREFORE

Page Two Draft No.3702

State of Ohio: BE IT RESOLVED by the Council of the City of Warren,

Grill for 999 Mahoning Avenue and Patio in the City of renewal of liquor permit no. 3479558 held in the name of Habosky Davidson Enterprises, Inc. dba Powerhouse Bar and aforediscussed reasons and grounds, hereby objects to the Council, this әұз IOL That Section

Warren, Ohio.

liquor permit in question be held within the City of Warren, the County Seat of Trumbull County, Ohio. the advisability of the aforediscussed renewal of the 4303.271(B), ORC, requests that a complete hearing upon aforediscussed reasons and grounds and per Section Council, гре chis That Section

таттеш. Warren at and for any hearing(s) hereafter held in this Section 3: That this Council hereby designates the Director of Law, the Chief of Police, and their their designees, to represent this Council and the City of Warren

the aforementioned certification by the Director of following: (a) a certified copy of this Resolution; and Section 4: That, upon certification by the Director, the Clerk of Council shall forward, by mail, to the Ohio Division of Liquor Control, aul .2.U Yd דישא อนา

proceed in a timely fashion. Section 5: That this Resolution is hereby declared to be an emergency measure necessary for the immediate

shall go into immediate effect. MHEKELOKE' this Resolution preservation of the public peace, health, welfare and safety and for the further reason that the hearing may

RUCKE MACH MACH SAFFOLD POLIVKA PLAFDORM MAYOR, CITY OHIO OF WARREN, MEANK 1100100 DATE APPROVED: VES NO FILED WITH THE MAYOR: PRESIDENT OF COUNCIL CPEKK ATTEST: SIGNED: Passed in Council this A LHday of ILL . TIOZ,