TITLED

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. 4623/17

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
In accordance with Ohio Revised Code 49.99 and 99.63

A resolution amending the ordinance of the City of

MAYOR, CITY OF MARION, OHIO

Date Approved: July 26, 2011

Filed with the Mayor: July 26, 2011

SIGNED:

President of Council
Attorney:

Passed in Council this 26th day of July, 2011.

WHEREAS, there is hereby established the position of Attorney to the City of Marion, Ohio, offense of this resolution shall go into immediate effect.

NOW, THEREFORE, the Resolution may go into immediate effect. Therefore, this Resolution

PRINCIPAL

 law.

the City of Marion.

matter.

Section 4: That this Resolution is hereby declared

law.

Section 3: That this Council hereby declares the

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Section 2: That this Council hereby declares the

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