

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. 4623/17

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

