

Sponsor: Vice Mayor Jeannie Stinson

First Reading: April 9, 2018
Second Reading: April 23, 2018
Third Reading: Suspended, 2018
Adopted: April 23, 2018

**VILLAGE OF LINCOLN HEIGHTS
HAMILTON COUNTY, OHIO
RESOLUTION NO. 2018-R-17**

**RESOLUTION OBJECTING TO THE RENEWAL OF THE LIQUOR PERMITS
FOR INGRID L. REDMON DBA OUR CORNER**

- WHEREAS,** Pursuant to Ohio Revised Code Section 4303.271(B), the Council of the Village of Lincoln Heights may object to the renewal of a division of liquor permit for any of the reasons contained in Ohio Revised Code Section 4303.292(A);
- WHEREAS,** Ohio Revised Code Section 4303.292(A)(1)(c) allows the division of liquor control to refuse to renew a permit where the owner has misrepresented a material fact in applying to the Division for a permit;
- WHEREAS,** Our Corner does not operate a bar, nightclub or restaurant as part of the neither establishment, nor does it serves prepared food therein;
- WHEREAS,** Our Corner merely operates a convenience store at the establishment;
- WHEREAS,** Our Corner currently holds a: 1) D1 permit allowing for on premises consumption of beer; 2) D2 permit allowing for on premises consumption of wine and mixed beverages; and 3) D6 permit allowing for the sale of intoxicating liquor on Sunday;
- WHEREAS,** The foregoing permits are inappropriate for Our Corner as they fall in the permit class designed for restaurants and nightclubs, not convenience stores;
- WHEREAS,** Ohio Revised Code Section 4303.292(A)(2)(c) allows the division of liquor control to refuse to renew a permit where the establishment 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;
- WHEREAS,** Customers of Our Corner purchase alcoholic beverages and consume them outside of the establishment in plain view of the public, including without limitation children;
- WHEREAS,** A renewal of Our Corner's permits will cause a continuation of such activity in and around the establishment, posing a danger to residents and visitors of the Village, as well as substantially interfering with public decency, sobriety, peace and good order; and

WHEREAS, Our Corner has failed to file numerous municipal tax returns regarding net business profits and withholding taxes which the Village's Code of Ordinances, Title III, Chapter 39 requires it to do;

WHEREAS, Our Corner operates a business without a municipal business license which the Village's Code of Ordinances, Title XI, Chapter 110 requires it to have; and

WHEREAS, Council for the Village of Lincoln Heights has determined it to be in the best interest of the residents of the Village to object to the renewal of the division of liquor permits owned by Ingrid L. Redmon, *dba* Our Corner and operating at 9972 Chester Road, Lincoln Heights, Ohio.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Lincoln Heights, Ohio, that:

SECTION I. Council hereby objects to the renewal of the division of liquor permits D1, D2 and D6 for Ingrid L. Redmon *dba* Our Corner operating at 9972 Chester Road, Lincoln Heights, Ohio.

SECTION II. The Solicitor shall submit a statement to the Ohio Department of Commerce, Division of Liquor Control, with a copy of this Resolution, advising that this objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code 4303.292(A).

SECTION III. This Resolution is hereby determined to be an emergency measure necessary for the health, safety, and general welfare of the Village of Lincoln Heights. The reason for said emergency is the objection to the division of liquor permit renewals for Ingrid L. Redmon *dba* Our Corner must be postmarked no later than May 2, 2018.

Passed this 23rd day of April, 2018.


Mayor, Village of Lincoln Heights

Attested:


Clerk of Council

RECORD OF VOTES CAST

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ruby Kinsey-Mumphrey	x	—	—	—
Vice-Mayor Jeannie Stinson	x	—	—	—
Phyllis Baber	—	x	—	—
Linda Childs-Jeter	x	—	—	—
Daronce Daniels	—	x	—	—
Kathy A. Goodwin-Williams	x	—	—	—
LaVerne Mitchell	x	—	—	—

CERTIFICATION OF PUBLICATION

I hereby certify that I have published the foregoing legislation beginning on April 23, 2018 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) Seven Hills Seniors; 3) Friendship Plaza; 4) Centennial Apartments; and 5) Oak Park.



Clerk of Council

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