

AN ORDINANCE ALLOWING BEER, WINE, AND HARD SELTZER-TYPE BEVERAGES TO BE SOLD, SERVED, DISPENSED, AND CONSUMED AT A ONE-DAY BEER FESTIVAL TO BE HELD AT MILLER ROAD PARK ON AUGUST 26, 2023 AND DECLARING AN EMERGENCY.

WHEREAS, subsection 1070.02(i)(1) of the Codified Ordinances of the City prohibits the sale of intoxicating liquor in any park, and

WHEREAS, the Avon Lake Athletic Boosters have requested to hold a one-day beer festival at Miller Road Park on August 26, 2023, and

WHEREAS, to permit such beer festival to take place, City Council must adopt an Ordinance creating a one-time exception to the prohibition of subsection 1070.02(i)(1) of Avon Lake Codified Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That, notwithstanding the prohibition of subsection 1070.02(i)(1) of Avon Lake's Codified Ordinances, the Avon Lake Athletic Boosters shall have the right to conduct a beer festival at Miller Road Park on August 26, 2023.

Section No. 2: That, provided the necessary State liquor permits are obtained, beer, wine, and hard seltzer-type beverages may be sold, served, distributed, and consumed at such beer festival.

Section No. 3: That this Ordinance shall not in any way modify the prohibition of subsection 1070.02(i)(1) of Avon Lake's Codified Ordinances against the presence of intoxicating liquor and intoxicated persons at any other park, beach, park building or recreational area (including but not limited to, the Lake House), nor shall this Ordinance permit wine and beer (or any other intoxicating liquor) to be sold, served, distributed, or consumed at Miller Road Park on any date other than that specifically authorized by Sections 1 and 2 hereof.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to file the necessary paperwork in a timely manner to allow the event to take place in order to promote Avon Lake businesses and bring economic growth to the City, thus for the public welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 6/26/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 6/30/2023

APPROVED: 6/27/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor