

AN ORDINANCE ALLOWING BEER AND WINE TO BE SOLD, SERVED, DISPENSED, AND CONSUMED FOR ONE DAY AT SUMMERFEST, TO BE HELD AT MILLER ROAD PARK ON JUNE 21, 2025, 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 Friends of the Park in Avon Lake, Inc., have requested to hold Summerfest at Miller Road Park on June 21, 2025; and

WHEREAS, to permit alcohol to be consumed at Summerfest, 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 set forth in Subsection 1070.02(i)(1) of the Codified Ordinances of the City of Avon Lake, the Friends of the Park in Avon Lake, Inc., shall be permitted to sell, serve, and allow the consumption of beer and wine at Summerfest, to be held at Miller Road Park on June 21, 2025.

Section No. 2: That, provided the necessary State of Ohio liquor permits are obtained, beer and wine may be sold, served, distributed, and consumed at Summerfest, to be held at Miller Road Park on June 21, 2025.

Section No. 3: That nothing in this Ordinance shall be construed to modify or repeal the prohibition set forth in Subsection 1070.02(i)(1) of the Codified Ordinances of the City of Avon Lake regarding the presence of intoxicating liquor or intoxicated persons at any park, beach, park building, or recreational area (including, but not limited to, the Folger Home, the Lake House, and the Peter Miller House). Furthermore, this Ordinance shall not permit the sale, service, distribution, or consumption of beer, wine, or any other intoxicating liquor at Miller Road Park on any date other than that specifically authorized in Section Nos. 1 and 2 of this Ordinance.

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 taken 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 permit alcohol to be consumed at Summerfest, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 5/27/2025

/s/ Jennifer J. Fenderbosch
Council President

POSTED: 5/30/2025

APPROVED: 5/28/2025

ATTEST: /s/ Valerie E. Rosmarin
Clerk of Council

/s/ Mark A. Spatzel
Mayor