

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, SEPTEMBER 11, 2018  
7:00 P.M.**

**I. ROLL CALL OF MEMBERS**

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. REGULAR CAUCUS MEETING HELD ON JUNE 12, 2018.

**IV. DISCUSSION:**

1. DIVISION OF LIQUOR CONTROL - **C STCK 9324188 FOR W P. T 16800 BROOKPARK ROAD, BROOK PARK, OH 44135 FOR A D5 AND D6. Postmark date 9/20/2018** - PER COUNCIL PRESIDENT VECCHIO
2. A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella - PER COUNCIL PRESIDENT VECCHIO
3. AN ORDINANCE ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio - PER COUNCIL PRESIDENT VECCHIO

**Note:** EXECUTIVE SESSION - NEGOTIATIONS OF BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING COMPENSATION - MAYOR GAMMELLA

**V. ADJOURNMENT:**

**Posted 9/7/18**

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

9324188 PERMIT NUMBER		STCK TYPE	W P T INC 16800 BROOKPARK RD BROOK PARK OHIO 44135	
ISSUE DATE 09 18 2017				
FILING DATE				
D5 D6 PERMIT CLASSES				
18 TAX DISTRICT	110	C	F20901 RECEIPT NO.	

FROM 08/20/2018

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 08/20/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/20/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **C STCK 9324188**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

'18 AUG 23 AM 10:32:58

**CLERK OF BROOK PARK CITY COUNCIL  
6161 ENGLE ROAD  
BROOK PARK OHIO 44142**

lck 653 \$100

For Questions call  
(614) 644-3162  
Office Hours -  
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control  
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005  
<http://www.com.ohio.gov/liqr>



**APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP**  
**PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING**

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name: **WPT INC.** Liquor Permit Number(s): **9324188** *F020901*

Permit Premises Address: **16800 BROOKPARK ROAD, BROOK PARK, OH 44135**

Email Address: **R O B E R T P M C M A N U S @ G M A I L . C O M**

Attorney's Name, Address and Telephone Number (If represented):  
**ROBERT P. MCMANUS, PO BOX 926, HUDSON, OH 44236 216-387-1892**

Is Stock Traded on a National Exchange?  YES  NO If YES, give Name of Exchange and Symbol

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FIT#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) WAYNE P. TROUTMAN			500
2)			
3)			
4)			
5)			
SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FIT#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) WAYNE P. TROUTMAN			250
2) ADOZIER2008, LLC			250
3)			
4)			
5)			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above. TOTAL NUMBER OF SHARES ISSUED **500**

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
1) CEO/President NONE		
2) Vice-President NONE		
3) Secretary NONE		
4) Treasurer NONE		



## Department of Commerce

Division of Liquor Control

John R. Kasich, Governor  
Jacqueline T. Williams, Director

6606 Tussing Road  
Reynoldsburg, OH 43068-9006

[www.com.ohio.gov](http://www.com.ohio.gov)

# How To Object

## Objections (to new permit, or transfer of ownership and/or location of an existing permit):

### Who can file an objection?

- Local legislative authority (city council if within a municipal corporation, township trustees, or county commissioners)
- Public institutions (schools, churches, libraries, public playgrounds, and township parks) within a 500-foot radius of the proposed permit premises

Once notified by the Division, the local legislative authority and/or public institutions have 30 days to submit their objection and request a hearing. Only the local legislative authority may request an extension beyond 30 days.

## Permit Renewal Objections:

Only the local legislative authority can object to annual permit renewals by taking the following actions:

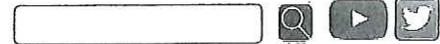
- Adopt a resolution stating the reason for the objection and forward a copy to the Division no later than 30 days before the expiration date of the permit.
- Provide a statement to accompany the resolution from the chief legal officer stating that they have reviewed the resolution and, in their opinion, it is based on substantial legal grounds.

Requests for hearing should be mailed to:

**Ohio Department of Commerce  
Division of Liquor Control  
Licensing Office  
6606 Tussing Rd. P.O. Box 4005  
Reynoldsburg, Ohio 43068-9005**

## Concerned Citizens:

Citizens cannot file objections directly, but can make their concerns known to their local legislative authority and ask that they object and request a hearing. See the following for community options for dealing with a problem liquor permit establishment: [http://www.com.state.oh.us/documents/liqr\\_ProblemPremises.pdf](http://www.com.state.oh.us/documents/liqr_ProblemPremises.pdf).



LIQUOR CONTROL

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**PLEASE NOTE: The Ohio Department of Commerce web services will be intermittently unavailable from January 19, 2018 @ 5 PM until January 22, 2018 @ 8 AM**

### Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906	<a href="#">ORC 4303.02</a> Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	<a href="#">ORC 4303.021</a> Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000	<a href="#">ORC 4303.022</a> Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	<a href="#">ORC 4303.03</a> Manufacturer of wine.
A-2f	\$76	<a href="#">ORC 4303.031</a> Ohio farm winery that grows and manufactures wine, from grapes, fruits, or other agricultural products on land it owns and uses only for agriculture.
A3	\$2 to \$3,906	<a href="#">ORC 4303.04</a> Manufacture, import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	<a href="#">ORC 4303.041</a> Manufacturer of less than 100,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	<a href="#">ORC 4303.05</a> Manufacture and sell certain prepared and bottled drinks, import for blended purposes
A5	\$1,000 per plant	<a href="#">ORC 4303.051</a> Manufacturer of ice cream containing not less than one-half of one percent alcohol by volume and not more than six percent of alcohol by volume. This holder may sell ice cream for consumption on the premises where manufactured or in sealed containers for consumption off premises. This law will become effective September 29, 2017.
B2A	\$25	<a href="#">ORC 4303.07</a> Sale of wine to retail permit holder.
S	\$25	<a href="#">ORC 4303.232</a> Sale of wine to personal consumer via mail order.
W	\$1,563	<a href="#">ORC 4303.231</a> To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

### Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	<a href="#">ORC 4303.06</a> Distributor of beer, ale, stout, other malt liquor.
B2	\$500	<a href="#">ORC 4303.07</a> Distributor of bottled wine.
B3	\$124	<a href="#">ORC 4303.08</a> Distributor of sacramental wine.
B4	\$500	<a href="#">ORC 4303.09</a> Distributor of mixed beverages.
B5	\$1,563	<a href="#">ORC 4303.10</a> Distributor and importer and bottler of wine.

### Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	<a href="#">ORC 4303.11</a> Beer only in original sealed container for carry out only.
C2	\$376	<a href="#">ORC 4303.12</a> Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	<a href="#">ORC 4303.121</a> Beer in original sealed containers for carry out.
D8	\$500	<a href="#">ORC 4303.184</a> Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

### Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<a href="#">ORC 4303.13</a> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<a href="#">ORC 4303.14</a> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<a href="#">ORC 4303.141</a> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.

D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

**>Club**

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.) (This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

**Hotel And Motel**

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

**Enclosed Shopping Mall**

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

**River Boats**

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5). Historical river boat owned by charitable organization only.

**Marinas**

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5). Marina restaurant only.

**Museums**

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 - except sales till one am). Non-Profit organization exempt from federal income taxation, that owns a fine arts museum, community arts center or community theater.

**Community Entertainment District/Revitalization**

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community Entertainment District.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5). Revitalization District.

**Sunday Sales**

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

**Other**

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 - except sales till one am). Certain non profit organizations that own and operate a botanical garden.

D5M	\$2,344	<a href="#">ORC 4303.181</a> (Same as D5). Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	<a href="#">ORC 4303.181(N)</a> (Same as D5). Casino Operator or Casino Management Company.
D5O	\$2344.00	<a href="#">ORC 4303.181(O)</a> (Same as D5). Restaurant located in a casino.
E	\$500	<a href="#">ORC 4303.19</a> Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	<a href="#">ORC 4303.21</a> Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).
H	\$300	<a href="#">ORC 4303.22</a> Carrier by rail or for hire motor carrier who also holds a license issued by the public utilities commission to transport beer, intoxicating liquor, and alcohol, or any of these, in this state or delivery or use in this state.
I	\$200	<a href="#">ORC 4303.23</a> Wholesale druggist (purchase - import alcohol for sale at wholesale and retail).

## Temporary Permits

Permit Class	Permit Fee	Description
F	\$40	<a href="#">ORC 4303.20</a> Valid for beer only until 1:00am. (Temporary - 5 days).
F1	\$250	<a href="#">ORC 4303.201</a> Temporary "Special Function" permit (3 days) (allows B.Y.O.B. by a nonprofit organization at Municipal Convention Center).
F2	\$150 \$160 (jointly)	<a href="#">ORC 4303.202</a> Temporary permit (four consecutive days) beer and any intoxicating liquor by glass or container on premises only until 1:00am. (1 every 30 days in same name)
F3	\$300	<a href="#">ORC 4303.203</a> Alcohol Beverage Industry Education.
F4	\$60	<a href="#">ORC 4303.204</a> Certain non profit organizations for an event that includes the introduction, showcasing or promotion of wines produced in Ohio; to furnish at no charge 2 oz. samples and sale for on premises consumption and carry out of wine from participating A2 permit holders. The fee is \$60 (per day).
F5	\$180	<a href="#">ORC 4303.205</a> Beer and intoxicating liquor issued to a Riverboat at a festival sponsored by a nonprofit organization (6 days - one per calendar year).
F6	\$50	<a href="#">ORC 4303.206</a> Sale of wine by a 501(c)(3) nonprofit organization (72 consecutive hours - 6 per year).
F7	\$450	<a href="#">ORC 4303.207</a> Beer, wine, mixed beverages, and spirituous liquor issued to a nonprofit organization at a "qualified golf event", meeting certain criteria until 1AM. (8 days - two(2) per calendar year).
F8	\$1700	<a href="#">ORC 4303.208</a> Temporary permit to a not-for-profit organization for sales on publicly owned property located in Hamilton County only.
F9	\$1700	<a href="#">ORC 4303.209</a> Temporary Permit to a nonprofit corporation that operates park on property leased from a municipal or non-profit corporation that provides or manages entertainment programming having an agreement meeting certain - in Franklin County only.
F-10	\$100	<a href="#">ORC 4303.2010</a> Sales of tasting samples of wine manufactured by an A-2 or S permit holder conducted at a registered farmers market, or in sealed containers for consumption off premises.

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### CONTACT US

Division of Liquor Control  
6606 Tussing Road  
Reynoldsburg, OH 43068

Phone 614.644.2360  
Email [Web.liqr@com.state.oh.us](mailto:Web.liqr@com.state.oh.us)

Webmaster  
Contact the Webmaster for Questions  
or Comments on the Website:  
[webmaster@com.state.oh.us](mailto:webmaster@com.state.oh.us)

### CONNECT WITH US



### LOOKUP SERVICES

[Special Event Liquor Permit Search](#)  
[Liquor Permit Retailers Search](#)  
[Liquor Permit Violations Search](#)  
[Ownership Disclosure Search](#)  
[Permits In Safekeeping Search](#)

### RESOURCES

[We Don't Serve Teens](#)  
[Liquor Laws & Rules](#)  
[Ohio Liquor Control Commission](#)  
[Ohio Ethics Commission](#)  
[Law On Open Containers](#)  
[Law On Gambling](#)

### ABOUT LIQUOR CONTROL

[Director Jacqueline T. Williams](#)  
[FAQs](#)

Ohio.gov

## Hearing Procedure:

- Hearings are held at the Division's offices in Reynoldsburg, the county seat of the permit holder/applicant, or via video conference where available.
- The objector must appear for the objection to be considered. The hearing is public and citizens may attend but cannot present evidence or provide testimony unless designated to do so by the objector or permit holder/Applicant.
- An attorney from the Division conducts the hearing, but does not make a decision. A report is submitted to the Division's superintendent who decides whether to overrule or sustain the objection.
- The permit holder/applicant or legislative authority can appeal the decision to the Ohio Liquor Control Commission (<http://www.lcc.ohio.gov/>). Public institutions have no legal right to appeal the Division's decisions.

## Evidence:

The Division's decision are guided by statutes, rules and legal cases. Evidence must be pertinent to the advisability of granting or renewing the permit. Speculative testimony not supported by sufficient evidence has been ruled by Ohio courts to be insufficient reason not to allow a business to operate. The burden of proof is on the objecting party, and the evidence presented must be reliable, probative and substantial:

- Reliable - Evidence that is dependable and can be confidently trusted
- Probative - Relevant evidence that tends to prove the issue in question
- Substantial - Evidence with some weight, importance and value

## Statutory Basis to Sustain Objection:

The grounds for which the Division can deny a permit or reject a permit renewal are provided in Ohio Revised Code Section 4303.292 (<http://codes.ohio.gov/orc/4303.292>).

### Examples:

- Conviction for a crime relating to the ability to operate a liquor establishment by the applicant, any partner, member, officer, director, manager or shareholder owning five percent or more of the capital stock.
- An applicant's unfavorable enforcement record and/or operation in disregard of laws, regulations or local ordinances.
- The location of the establishment substantially and adversely interfering with the public decency, sobriety, peace, or good order of the neighborhood, or the normal, orderly conduct of a public institution.
- Saturation in the neighborhood such that the permit applied for would be detrimental to and substantially interfere with the morals, safety or welfare of the public.

See the Division's website at [www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr) for more information on presenting a successful objection case. Please contact the Division's Legal Section at 614-644-2489 with any questions regarding the objection process.

1-800-750-0750 (TTY/TDD)  
[www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr)

**Ohio** | Department  
of Commerce

CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: MAYOR GAMMELLA

A RESOLUTION  
STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS  
OF THE OHIO GENERAL ASSEMBLY TO INVEST  
THE STATE BUDGET SURPLUS IN MUNICIPALITIES,  
AND DECLARING AN EMERGENCY

**WHEREAS**, the Mayor and Council have been advised of Ohio Governor John Kasich's proposal to use the projected State of Ohio budget surplus of \$147 million at the end of the biennium to fund an income tax withholding reduction and bring the state's rainy day fund to its maximum legal limit; and

**WHEREAS**, the Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

**WHEREAS**, these reductions have resulted in an annual loss of revenue of approximately \$1,300,000; and

**WHEREAS**, this sudden revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, and bolster public safety services to fight the opioid epidemic; and

**WHEREAS**, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well;

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Brook Park, State of Ohio that:

**SECTION 1:** That the Ohio General Assembly should distribute the budget surplus revenue to Ohio's municipalities at the end of the biennium, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

**SECTION 2:** This Council does hereby declare its opposition to Governor Kasich and the Ohio General Assembly depositing the state

budget surplus into the rainy day fund and an income tax withholding reduction.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that 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 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that the City of Brook Park urges the Governor and General Assembly to invest the state budget surplus in municipalities; therefore, provided that this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

**I HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS**

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: COUNCIL PRESIDENT VECCHIO

AN ORDINANCE

ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES  
ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION'  
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 533.25 of the Brook Park Codified Ordinances, entitled 'Sex Offender Residency Prohibition' is hereby enacted to read as follows:

**533.25**

(a) It is unlawful for a child-victim sex offender who is required to register with the County Sheriff as a sexual offender to reside within one thousand (1,000) feet of a public park, school premises or preschool or commercial child day-care center premises.

(b) It is unlawful for a sex offender who is required to register with the County Sheriff as a sex offender to reside in any residential dwelling unit with another person who is also a sex offender who is required to register with the County Sheriff as a sex offender.

(c) Any person who violates this provision is herein guilty of a misdemeanor of the first degree and shall be punished as provided in Sections 501.99 and 533.99 of the Codified Ordinances.

(d) Nothing in this section shall prevent the Director of Law or Prosecutor from taking action against a person convicted of a sexually oriented offense who is required to register as a sexual offender as provided in Ohio R.C. 2950.034.

SECTION 2: 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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3:** This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and to enact Section 533.25 of the Brook Park Codified Ordinances; provided this ordinance receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

**I HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS**

  
\_\_\_\_\_  
DIRECTOR OF LAW