

CITY OF BROOK PARK, OHIO

P/C 10-15-19 LEGISLATIVE
CA 11-12-19
1st R 11-19-19
2nd R _____
3rd R _____
B/C _____

ORDINANCE NO: 11133-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AMENDING SECTION 1121.29(c)(1)(A)
OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'RETAIL SALES IN BUILDING'
AND DECLARING AN EMERGENCY

WHEREAS, there is a need to update Section 1121.29(c)(1)(A) of the Brook Park Codified Ordinances, which prohibits the sale of food and beverages except from vending machine at gasoline and oil filling stations; and

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

SECTION 1: Section 1121.29(c)(1)(A) of the Codified Ordinances of the City of Brook Park is hereby amended to read as follows:

A. Gasoline and oil filling stations

1. Retail sales in building.

- a. Retail sales in building shall include the sale and serving of all food and beverages ~~from vending machines only.~~ with the necessary permits and licensing from the Cuyahoga County Board of Health.

SECTION 2: Former Section 1121.29(c)(1)(A) of the Codified Ordinances of the City of Brook Park, as enacted by Ordinance 6518-1984, passed April 17, 1984 is hereby expressly repealed.

SECTION 3: 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: 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 of amending Section 1121.29(c)(1)(A) of the Brook Park Codified Ordinances; therefore, provided this ordinance 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: November 19, 2019

M. P. Keelion
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: J. J. Smith
MAYOR

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

[Signature]
DIRECTOR OF LAW

11/21/19
DATE

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution

No. 11133
passed on the 19th day of November
2019 by said council.

Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing November 20, 2019
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>