

RESOLUTION NO. 82-2020 (PSH), *Second Reading*

By Consent Agenda – Council Member Dunbar

A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio; and declaring an emergency.

WHEREAS, in the matter of Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, the applicant has operated the permit premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and the City of Cleveland Heights, the location of the establishment substantially interferes with public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety or health requirements of the City of Cleveland Heights; and

WHEREAS, the City Manager, Chief of Police, and Director of Law have determined that it would be in the best interests of the City and its residents to object to the renewal of all existing liquor permits for said establishment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby presents the objections and concerns of the officials of the City of Cleveland Heights, Ohio to the granting of the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control for the premises operated by Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, on the basis that the applicant has operated the liquor premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and City of Cleveland Heights, the location of said establishment substantially interferes with the public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety, or health requirements of the City of Cleveland Heights within the meaning of Division (A) of Section 4303.292 of the Ohio Revised Code.

SECTION 2. This Council basis its objections and concerns, in part, on Chief of Police Annette M. Mecklenburg's correspondence to the Clerk of Council, attached hereto and incorporated herein as Exhibit A. Specifically, this Council finds that there have been an overwhelming number of calls for police service to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 during approximately a three-and-a-half-year period. This Council further finds that those calls for police service include numerous disturbances, fights, unruly patrons, and other criminal incidents, including a shooting that was precipitated by a physical altercation that occurred while waiting in line to enter the establishment.

SECTION 3. This Council hereby requests that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.

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SECTION 4. The Director of Law is specifically authorized to pursue this objection, or to resolve same, if in the best interest of the City.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 6. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet state deadlines for objection to renewal of permits. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: July 20, 2020