

ORDINANCE NO. 2018-50 (AMENDED)
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE MAYOR CONCERNING THE ESTABLISHMENT OF A COMMUNITY ENTERTAINMENT DISTRICT, AND DESIGNATING CERTAIN PROPERTY LOCATED IN THE CITY OF LYNDHURST OHIO, AS A COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO SECTION 4301.80 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, Legacy Village Investors, LLC, dba Legacy Village has filed an application with the Mayor of the City of Lyndhurst, Ohio, dated May 28, 2018, (the "Application"), a copy of which is on file with the Clerk of Council, seeking the designation of certain property in the City of Lyndhurst, Ohio, described therein as a Community Entertainment District pursuant to Section 4301.80 of the Ohio Revised Code; and

WHEREAS, the Mayor has recommended that this Council approve the current Application and designate the area as a Community Entertainment District; and

WHEREAS, this Council has caused notice to be published once a week for two consecutive weeks in at least one newspaper of general circulation in the City of Lyndhurst, Ohio, that the Application was on file in the office of the Clerk of Council of the City of Lyndhurst and was available for inspection during regular business hours; and

WHEREAS, Council held a public hearing on the application and the proposed designation of the property as a Community Entertainment District on the 6th day of August, 2018. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. This Council accepts the recommendation of the Mayor and hereby approves the Application.

SECTION 2. This Council determines that the proposed Community Entertainment District will substantially contribute to entertainment, retail, educational, sporting, social, cultural, and/or arts opportunities for the community including the City of Lyndhurst, Ohio.

SECTION 3. This Council hereby determines that it is in the public interest of the City of Lyndhurst that the property described in the Application should be and the same is hereby designated as a Community Entertainment District pursuant to Section 4301.80 of the Ohio Revised Code.

SECTION 4. The Clerk of Council shall keep a copy of the Application on file in the office of the Clerk of Council.

SECTION 5. City Council shall review the requirements of the Community Entertainment District, as established herein, one year from the effective date of this Ordinance, to determine whether to continue the Community Entertainment District under the same or modified terms and conditions, or to dissolve it according to statutory provisions.

SECTION 6. The Clerk of Council is hereby instructed to forward a copy of this Ordinance to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, all in accordance with Sections 4301.82(C) and 4301.82(F)(3) of the Ohio Revised Code.

SECTION 7. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that the foregoing approval and designation are immediately necessary so that steps can be undertaken to continue development of Legacy Village, which is needed to provide economic advantages to the City of Lyndhurst, Ohio, in the form of increased tax revenues to the City of Lyndhurst, Ohio, additional job opportunities, and recreational and shopping alternatives to the citizens of the City of Lyndhurst, Ohio. Provided it receives the affirmative vote of five members of Council, it shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 6, 2018

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on August 16, 2018 and August 23, 2018.

Clerk of Council

First Reading: July 2, 2018

Second Reading: August 6, 2018

Third Reading: Suspended