Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall be presented and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall be presented and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final adoption.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Adoption. Yeas 18, Nays 0.

Res. No. 568-11. By Council Member Sweeney. An emergency resolution objecting to a New C1 Liquor Permit at 4798 West 130th Street, Cleveland, Ohio 44135, Permanent Number 751783; and

Whereas, the granting of the application for a liquor permit to this high crime area, which is populated with other liquor outlets, is contrary to the best interest of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he operates his liquor business in disregard of the laws, regulations or local ordinance of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based upon other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council’s objection to said permit must be presented by the Director of Liquor Control within 30 days of notice; now, therefore,

Be it resolved by the Council of the City of Cleveland:

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Belacli Seder, 4798 West 130th Street, Cleveland, Ohio 44135, Permanent Number 751783, and requests the Director of Liquor Control to deny said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final adoption.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Adoption. Yeas 18, Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 92-11. By Council Members Pruitt, Mitchell and Sweeney (by departmental request). An emergency ordinance to amend Sections 18, 76-6 and 675 of the codified Ordinances of Cleveland, Ohio, 1976, and to rename by various ordinances relating to vendors; to supplement the codified ordinances by enacting new Sections 411.451, 241.36, 241.37 and 241.38 relating to mobile food shops; and to rename Chapter 675 to “Street Vendors.”

Approved by Directors of Public Health, Capital Projects, Public Safety, Economic Development, City Planning, Commission, Finance, Law; Referred to Committee on City Planning; Passage recommended by Committees on Health and Human Services, Public Welfare pursuant to Section 4798 West 130th Street, Cleveland, Ohio 44135, Permanent Number 751783; and

2. In Section 1, at amended Section 241.02, first paragraph, line 1, strike “Director of Public Health”; in lines 7 and 11, strike “Commissioner” and insert “Director of Public Health” in both places; and in line 18, strike “Commissioner of Environmental” and insert “means”.

3. In Section 1, at amended Section 241.05, insert new division (j) to read as follows: “The granting of this application for a mobile food shop license, the Commissioner of Assessments and Licensing, or the Secretary of the Board shall certify the Council member or members in whose ward or wards the mobile food shop will be located. After receipt of an application has been received. A complete application shall include the signature of the Council member or members in whose ward or wards the mobile food shop will be located.”

4. In Section 1, at amended Section 241.06(d), line 1, after “revocation of” insert “a,” and in line 2, after “revocation of” insert “a,” insert new division 241.06(e) to read as follows: “(e) mobile food shop (e) mobile food shop may be suspended or revoked for violations of Sections 241.35. The permittee or applicant may appeal a suspension, revocation, or disapproval of a permit to the Commissioner of Assessments and Licensing within ten days of the date of notice of suspension, revocation, or disapproval. The permittee or applicant may appeal the Commission’s decision to the Board of Zoning Appeals established pursuant to Charter Section 76-6. Notice of such appeal shall be in writing and shall be filed with the Board within ten days from the date of the written decision of the Commissioner,” and reletter existing (f) to (d) and (d) to (f).

5. In Section 1, at amended Section 241.99(b), line 2, strike “one hundred dollars ($100.00)” and insert “one hundred fifty dollars ($150.00).”
Ord. No. 218-11. By Council Members Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of the City Planning Commission to enter into one or more contracts on a competitive basis, for a period up to two years. Read third time in full. Passed. Yeas 18, Nays 0. 


An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 241.36, 241.05, 241.06, 241.07, 241.08, 241.09, 241.10, 241.11, relating to the regulation of scrap metal dealers, recordkeeping requirements, electronic reporting to the Division of Police, electronic recording of identification, special purchase items, exempt transactions, recordkeeping by secondhand dealers, and the sale of plastic crates or trays; to repeal existing Section 676.06, as amended by Ordinance No. 66-08, passed June 2, 2008; to repeal Sections 676.08, 676.09, 676.10 and 676.11, as enacted by Ordinance No. 104769, passed November 9, 1996; and to amend Section 676.01, relating to definitions, as amended by Ordinance No. 66-08, passed June 2, 2008; and to amend Section 676.09, as amended by Ordinance No. 1304-97, passed December 14, 1998, relating to penalties.


An emergency ordinance to enact Section 131.081 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to rates for rental of the City Hall Rotunda and to amend Section 131.78 of the codified ordinances, relating to parking.


An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2011 Cleveland Youth Summer Employment Program (by departmental request). 

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Public Utilities, Finance.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Passed. Yeas 18, Nays 0.


An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general environmental, health, safety, sustainability, engineering, and other services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, on an as-needed basis, for a period up to two years.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Public Utilities, Finance.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Passed. Yeas 18, Nays 0.


An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the 2010 SAFER Grant.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Passed. Yeas 18, Nays 0.


An emergency ordinance authorizing the Director of Economic Development to consent to assignment of Enterprise Zone Agreement No. 18-C-12, 633, from the City of Cleveland with the Cleveland-Cuyahoga County Port Authority to 4500 Division LLC.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Economic Development, Finance.

The rules were suspended. Yeas 18, Nays 0. Read second time. Read third time in full. Passed. Yeas 18, Nays 0.


An emergency ordinance to amend Section 4 of Ordinance No. 172-A-05, passed July 15, 2005, as amended by Ordinance No. 71-14, 10, passed June 7, 2010, and to amend Sections 2, 4, and 6 of Ordinance No. 446-08, passed June 6, 2008, relating to funding for the Job Creation Incentive Grant Program, the Green Technology Business Grant Program, the Technology Business Grant Program, and the Downtown and City-wide Business Grant Program.