



LEGISLATIVE COVER MEMO

Date: February 3, 2025

Agenda Item: **Resolution 2025-07**

OBJECTING TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: The City of Franklin received notice from the Ohio Division of Liquor Control (the "DOLC") that a new Class D liquor permit application has been with filed with the DOLC by the new owner of the Marathon gas station property located at 1111 William C. Good Blvd (Franklin Foodmart LLC). The new owner has failed to file for necessary zoning approvals to operate the business on the property. The Fire Department also discovered individuals residing on the property in violation of both the Fire Code and local zoning laws.

City staff recommends that Council object to the permit application by filing this Resolution with the DOLC.

Budget Impact: None

Exhibits: Exhibit A: The DOLC's written notice to the City regarding Franklin Foodmart LLC's liquor permit application.

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2025-07

OBJECTING TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO

WHEREAS, Ohio Revised Code Chapter 4303 provides that a property owner or establishment may not serve alcohol, or offer alcohol for sale, without first obtaining the necessary permit(s) for such service or sale from the Ohio Department of Commerce, Division of Liquor Control (the “DOLC”);

WHEREAS, pursuant to R.C. 4303.271 and 4303.292, the legislative authority of a municipal corporation is empowered to object to applications for new liquor permits or renewals of existing liquor permits with respect to premises located within the municipal corporation;

WHEREAS, the City of Franklin, Ohio received written notice from the DOLC (attached as Exhibit A to this Resolution) that an application to acquire a new liquor permit (the “Permit Application”) for property located at 1111 William C. Good Blvd, Franklin, Ohio 45005 (the “Premises”) has been filed with the DOLC;

WHEREAS, during a public meeting of the Franklin City Council held on February 3, 2025, City staff presented evidence to Council of various complaints, charges, and activities occurring on the Premises, and/or perpetrated by the permit applicant or a partner, member, officer, director or manager of the applicant, in violation of applicable laws and regulations;

WHEREAS, Council has determined the evidence presented by City staff constitutes lawful grounds to object to the Permit Application under R.C. 4303.271 and/or 4303.292; and

WHEREAS, Council finds it necessary, in order to preserve the health, safety and welfare of Franklin residents, to object to the Permit Application pursuant to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of the members of Council present concurring, that:

Section 1. Council hereby objects to the Permit Application based on Council’s determination that the permit applicant has operated liquor permit businesses in a manner that demonstrates a disregard for applicable laws, regulations, or local ordinances.

Section 2. The Clerk of Council is hereby directed to forward a copy of this Resolution to the DOLC.

Section 3. The Law Director and City Manager are hereby authorized to represent Council, designate other appropriate City staff to represent Council, and designate citizens to appear as witnesses in support of Council’s objection to the Permit Application at any hearing(s) held by the DOLC with respect to this matter.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Rules of Council.

Section 5. This Resolution shall become effective immediately upon its passage.

ADOPTED: February 3, 2025

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on February 3, 2025.

Khristi Dunn, Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

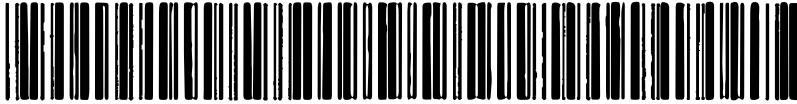
OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43088-9005
(614)844-2380 FAX(614)844-3168

TO

28650790005		NEW	FRANKLIN FOOD MART LLC 1111 WILLIAM C GOOD BLVD FRANKLIN OH 45005
PERMIT NUMBER		TYPE	
ISSUE DATE			
12 27 2024			
FILING DATE			
D1			
PERMIT CLASSES			
83	044	A	E39715
TAX DISTRICT			RECEIPT NO.

FROM 01/16/2025

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



MAILED 01/16/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/18/2025

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

A NEW 2865079-0005

(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

**CLERK OF FRANKLIN CITY COUNCIL
1 BENJAMIN FRANKLIN WAY
FRANKLIN OHIO 45005**

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2380 FAX(614)844-3188

TO

28650790005 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	FRANKLIN FOOD MART LLC 1111 WILLIAM C GOOD BLVD FRANKLIN OH 45005	
<small>ISSUE DATE</small>				
12 27 2024				
<small>EXPIRING DATE</small>				
D2				
<small>PERMIT CLASSES</small>				
83	044	A	E39716	
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		

FROM **01/10/2025**

<small>PERMIT NUMBER</small>		<small>TYPE</small>		
<small>ISSUE DATE</small>				
<small>EXPIRING DATE</small>				
<small>PERMIT CLASSES</small>				
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		



MAILED **01/10/2025**

RESPONSES MUST BE POSTMARKED NO LATER THAN.

02/10/2025

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