

ORDINANCE NO. 7 - 23

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO A CONCESSIONS LICENSE AT LAKEVIEW PARK AND THE CITY BEACH WITH THE PORT CLINTON CANDY COMPANY AND DECLARING AN EMERGENCY

WHEREAS, in the past the City of Port Clinton has entered into agreements for the operation of a concession stand in Lakeview Park during the summer season, and

WHEREAS, previous agreements were confined solely to the use of the concession stand that was passed by visitors on their way to the beach; and

WHEREAS, the Port Clinton Candy Company proposed renting beach equipment along with selling beach related items in addition to selling food and beverages at the Lakeview Park concession stand to attract visitors on their way to the beach; and

WHEREAS, the proposal included setting up at temporary pop up tent at the west end of the city beach, to be set up and taken down daily, to sell beach related items, food and beverages, and to rent beach equipment; and

WHEREAS, this Council finds and determines that it is in the best interest of the City to enter into a license agreement with the Port Clinton Candy Company for the operation of concessions at Lakeview Park and at the west end of the City Beach.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Safety Service Director is hereby authorized and directed to enter into a license agreement with the Port Clinton Candy Company, for the operation of concessions at Lakeview Park and the City Beach, in accordance with the terms and provisions of the license agreement on file in the office of the Director, subject to changes and modifications not materially adverse to the City and approved on behalf of the City by the Director, all of which shall be evidenced conclusively by his execution of the license agreement.

Section 2. The Director, the Auditor, the Treasurer, the Clerk of Council, the Director of Law, and other City officials, as appropriate, are each authorized and directed to take any and all such other actions, including execution and delivery of any further agreements or instruments as are necessary or appropriate to consummate the transaction contemplated by this Ordinance.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions

were in meetings open to the public, in compliance with the law.

Section 4. 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 this Ordinance is required to be immediately effective so that the Licensee can take possession of the concession areas to prepare for the opening of the 2023 operating season; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2023

President of Council

Attest: _____
Clerk of Council

Approved _____, 2023

Mayor