

ORDINANCE NO. 16-2026

**TITLE: BOARD OF ELECTIONS
SUNDAY LIQUOR PERMISSION BALLOT ISSUE
BARBERTON COMMUNITY ENTERTAINMENT DISTRICT**

AN ORDINANCE REQUESTING THAT THE SUMMIT COUNTY BOARD OF ELECTIONS SUBMIT TO THE ELECTORS OF THE CITY OF BARBERTON THE QUESTION OF WHETHER THE SALE OF BEER AND INTOXICATING LIQUORS SHALL BE PERMITTED ON ALL DAYS OF THE WEEK, INCLUDING SUNDAY, WITHIN THE BOUNDARIES OF THE DOWNTOWN BARBERTON COMMUNITY ENTERTAINMENT DISTRICT, A COMMUNITY FACILITY AS DEFINED BY SECTION 4301.01 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the legislature of the State of Ohio has enacted Section 4301.80 of the Ohio Revised Code, which authorizes municipal corporations, upon application, to designate areas within their respective boundaries as Community Entertainment Districts; and

WHEREAS, the purpose of a Community Entertainment District is to create potential for more entertainment, retail, educational, sporting, social, cultural, and arts establishments for residents of a municipality and others, and to otherwise foster and encourage economic development; and

WHEREAS, an application seeking the establishment and designation of the Downtown Barberton Community Entertainment District, a 1005-acre district in and around Downtown Barberton, Ohio was filed with the Mayor by the City of Barberton, as an owner of real property within the District; and

WHEREAS, pursuant to Section 4301.80 of the Ohio Revised Code, the Mayor transmitted the aforementioned application to the Clerk of Council and further recommended that this Council approve the application and designate the proposed Downtown Barberton Community Entertainment District; and

WHEREAS, this Council subsequently adopted Ordinance No. 80-2025 on June 23, 2025 to create the Downtown Barberton Community Entertainment District; and

WHEREAS, subsequent to its creation by this Council, the Downtown Barberton Community Entertainment District was recognized and approved by the Ohio Department of Commerce, Division of Liquor Control; and

WHEREAS, pursuant to Section 4301.56 of the Ohio Revised Code, this Council may adopt an ordinance requesting the submission to the electors of the City of Barberton of the question of whether the sale of beer and intoxicating liquors shall be permitted on all days of the week, including Sunday, within the boundaries of the Downtown Barberton Community Entertainment District, a community facility as defined by Section 4301 of the Ohio Revised Code, on the day of the next special or general election; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the City of Barberton to submit to the electors of the City of Barberton the question of whether the sale of beer and intoxicating liquors shall be permitted on all days of the week, including Sunday, within the boundaries of the Downtown Barberton Community Entertainment District, a community facility as defined by Section 4301 of the Ohio Revised Code, on the day primary election to be held on May 5, 2026.

NOW, THEREFORE, BE IT ORDAINED by the City of Barberton, County of Summit, State of Ohio, that:

SECTION 1. This Council hereby requests that the Summit County Board of Elections submit the following question to the electors of the City of Barberton at the primary election to be held on May 5, 2025:

Shall the sale of beer and intoxicating liquor be permitted on all days of the week, including Sunday, in the Downtown Barberton Community Entertainment District, a community facility as defined by Section 4301.01 of the Revised Code, and located in and around Downtown Barberton within the following boundaries:

Street Name	Range	Even/Odd
1st St NW	117-263	Even/Odd
2nd St NW	213-259	Odd
2nd St NW	57-211	Even/Odd
2nd St SW	12-36	Even/Odd
2nd St SW	37-115	Odd
3rd St NW	50-119	Even/Odd
3rd St NW	120-220	Even
4th St NW	50-131	Even/Odd
4th St SW	1-21	Odd
4th St SW	22-49	Even/Odd
5th St NW	90-111	Even/Odd
5th St SW	1-49	Even/Odd
6th St NW	121-217	Odd
6th St NW	56-119	Even/Odd
7th St NW	58-122	Even/Odd
7th St SW	1-51	Odd
8th St NW	57-123	Odd
N Wooster Rd	1-253	Even/Odd
N Wooster Rd	254-264	Even
Robinson Ave E	0-19	Even/Odd
W Ford Ave	599-659	Odd
W Hopocan Ave	400-478	Even
W Lake Ave	400-487	Even/Odd
W Lake Ave	488-504	Even
W Lake Ave	526-600	Even
W Paige Ave	427-498	Even/Odd
W Park Ave	518-619	Even/Odd
W Park Ave	500-516	Even
W Park Ave	620-686	Even
W Park Ave	443-499	Even/Odd
W Tuscarawas Ave	444-686	Even/Odd
W Wooster Rd	659-685	Odd
W Wooster Rd	453-655	Even/Odd

SECTION 2. In accordance with Section 4301.356 of the Ohio Revised Code, this Ordinance, and all other documentation required to be filed by such Section, shall be filed with the Summit County Board of Elections by the Clerk of Council no later than 4:00pm on February 4, 2026 in the manner so prescribed, so that the question set forth in Section 1, above, or substantially similar question, may be submitted to the electors of the City of Barberton.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting with Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings opened to the public in compliance with the law.

SECTION 4. This Ordinance is hereby 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 to timely submit the question presented herein to the electors for the May 5, 2026 primary election, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Passed **February 2, 2026**

Clerk of Council

President of Council

Approved _____ 2026

Mayor