

ORDINANCE NO. 101-22

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PATRIOTIC PRODUCTIONS, A NON-PROFIT NEBRASKA CORPORATION, ALLOWING THEM TO DISPLAY THEIR “REMEMBERING OUR FALLEN” MEMORIAL BETWEEN THE 1ST AND THE 5TH OF SEPTEMBER AND DECLARING AN EMERGENCY

WHEREAS, Patriotic Productions, a non-profit corporation organized under the laws of the State of Nebraska has ownership of and trademark rights to “Remembering Our Fallen” (ROF), as well as the right to display the national memorial of “Remembering Our Fallen” in locations throughout the United States and its territories; and

WHEREAS, the memorial consists of approximately 33 tribute towers, with each tower holding three (3) double-sided banners with photos of those who have perished as a result of the War on Terror since September 11, 2001; and

WHEREAS, the City of Avon desires to display the tribute towers at or near the Veterans Memorial within the Aquatic Center (behind the Avon Fire Station) between September 1st and September 5th, 2022; and

WHEREAS, in furtherance of that desire to facilitate this display, the City of Avon and Patriotic Productions seek to enter into an Agreement setting forth the terms and conditions under which the display will be made available to the City and the general public; and

WHEREAS, Council, having reviewed the Agreement with Patriotic Productions, deems it desirable and in the best interests of the health, safety and welfare of the citizens of Avon to authorize the Mayor to enter into said Agreement thereby facilitating the display of the “Remembering our Fallen” national memorial as set forth therein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That the Mayor is hereby authorized to enter into an Agreement with Patriotic Productions, a Nebraska non-profit corporation, for the display of their “Remembering our Fallen” memorial between September 1st and September 5th of this year (Labor Day weekend) in substantially the form as set forth in the attached [Exhibit A](#) which is incorporated herein by this reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into an Agreement with Patriotic

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Productions to facilitate the display of the "Remembering our Fallen" memorial over this coming Labor Day Weekend; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director