



City of Cheviot
City Council
Memorandum

DATE: September 1, 2020

TO: Mayor and Council

FROM: Thomas L. Braun
Safety Service Director

SUBJECT: Submission of Application for Designated Outdoor Refreshment Area (DORA)

Background

On April 30, 2015, the Ohio General Assembly passed legislation permitting open containers in areas defined as Designated Outdoor Refreshment Areas (DORA). When initially adopted, the legislation was limited to Ohio communities with a population in excess of thirty-five thousand (35,000). The timing of the initial legislation allowed for a DORA to be in operation during the 2015 Major League Baseball All Star game in Cincinnati. An amendment in April of 2017 removed the population restriction, thus permitting all Ohio communities the ability to go through the application process to establish a DORA. With the April of 2017 amendment, variations related to population, include the following: (Note that the applicable section reference the City of Cheviot is noted with bold and underlined text)

- “A municipal corporation or township with a population of more than fifty thousand shall not create more than two outdoor refreshment areas.
- A municipal corporation or township with a population of more than thirty-five thousand but less than or equal to fifty thousand shall not create more than one outdoor refreshment area.
- **A municipal corporation or township with a population of thirty-five thousand or less may create one outdoor refreshment area if the proposed area will include at least four qualified permit holders and be composed of one hundred fifty or fewer contiguous acres.”**

The process, which is detailed in the Ohio Revised Code (ORC), specifically section 4301.82, requires various steps which must be completed prior to the enactment of a DORA. Per section 4301.82 (B) of the Ohio Revised Code (ORC), the first (1st) step is the submission of an application on behalf of the Safety Service Director to City Council to have specific property within the City designated as an Outdoor Refreshment Area. Specifically, section 4301.82(B) states; “The executive

officer of a municipal corporation or the fiscal officer of a township may file an application with the legislative authority of the municipal corporation or township to have property within the municipal corporation or township designated as an outdoor refreshment area or to expand an existing outdoor refreshment area to include additional property within the municipal corporation or township.”

The ORC further details the required attachments to be included with the submitted application to be the following:

- A map or survey of the proposed outdoor refreshment area in sufficient detail to identify the boundaries of the area, which shall not exceed the following; one hundred fifty contiguous acres if the municipal corporation or township has a population of thirty-five thousand or less. [Exhibit A and U.S. Census for Cheviot, OH]
- Evidence that the uses of land within the proposed outdoor refreshment area are in accord with the master zoning plan or map of the municipal corporation or township. [Exhibit A-1 and Exhibit A-2]
- A general statement of the nature and types of establishments that will be located within the proposed outdoor refreshment area. [Exhibit B]
- A statement that the proposed outdoor refreshment area will encompass not fewer than four (4) qualified permit holders. [Exhibit C]
- In accordance with ORC 4301.82(F)(1)(a), a depiction of the specific boundaries of the area, including street addresses. [Exhibit D and Exhibit D-1]
- In accordance with ORC 4301.82(F)(1)(b), the number, spacing and type of signage designating the area. [Exhibit E]
- In accordance with ORC 4301.82(B)(5), proposed requirements for the purpose of ensuring public health and safety within the proposed outdoor refreshment area. In accordance with ORC 4301.82(F)(1)(d)(e), the number of personnel needed to ensure public safety in the area and a sanitation plan that will help maintain the appearance and public health of the area. [Exhibit F and Attachment F]
- In accordance with ORC 4301.82(F)(1)(c), the hours of operation for the area. [Exhibit G]
- In accordance with ORC 4301.82(F)(1)(g), a requirement that beer and intoxicating liquor be served solely in plastic bottles or other plastic containers in the area. [Exhibit H]

These referenced items are formally attached hereto and presented to City Council.

Following City Council’s receipt of the application from the Safety Service Director, per the ORC, the following steps are required:

- Within forty-five (45) days after the date the application is filed with the legislative authority of a municipal corporation or township, the legislative authority shall publish public notice of the application once a week for two consecutive weeks in one newspaper of general circulation in the municipal corporation or township or as provided in section 7.16 of the Revised Code. The legislative authority shall ensure that the notice states that the application is on file in the office of the clerk of the municipal corporation or township and is available for inspection by the public during regular business hours. The legislative authority also shall indicate in the notice the date and time of any public hearing to be held regarding the application by the legislative authority.
- Not earlier than thirty but not later than sixty days after the initial publication of notice, the legislative authority shall approve or disapprove the application by either ordinance or

resolution, as applicable. Approval of an application requires an affirmative vote of a majority of the legislative authority. Upon approval of the application by the legislative authority, the territory described in the application constitutes an outdoor refreshment area. The legislative authority shall provide to the division of liquor control and the investigative unit of the department of public safety notice of the approval of the application and a description of the area specified in the application. If the legislative authority disapproves the application, the executive officer of a municipal corporation or fiscal officer of a township may make changes in the application to secure its approval by the legislative authority.

Policy Options

Approve or deny request.

Analysis

The rules regulating the operation of a DORA differ from the City's past action of declaring open containers, most notably that the Ohio Division of Liquor Control is notified and works directly with each of the licensed permit holders within the DORA's boundaries. Each permit holder within the DORA is given the option whether to participate. If a permit holder chooses to participate, their license is modified to indicate a DORA designation and they are supplied the corresponding regulations. Note that we have confirmed that there is no additional fee from the ODLC to the permit holder to have their permit modified with a DORA designation. Additionally, specific plastic containers/cups are required, sanitation and safety plans have been created and in the case of the City's proposed DORA, the boundaries are limited specifically to City owned property, streets and right-of-way(s).

Through discussions with the Ohio Division of Liquor Control, the Ohio Department of Public Safety and neighboring communities with established DORAs, we have received clarification on the varying restrictions for our DORA liquor permit holders and the City if a DORA is enacted:

- Consumption of alcoholic beverages within the DORA must be with a logoed plastic container consistently utilized by all designated permit holders.
- There are no regulations regarding re-use of a DORA cup; however only City of Cheviot DORA cups can be used in the Cheviot DORA boundaries.
- Open containers can not be taken from one permitted establishment into another or be brought in from outside of the DORA boundaries.
- Establishments with outside dining are not regulated differently than those that operate solely within an enclosed structure.

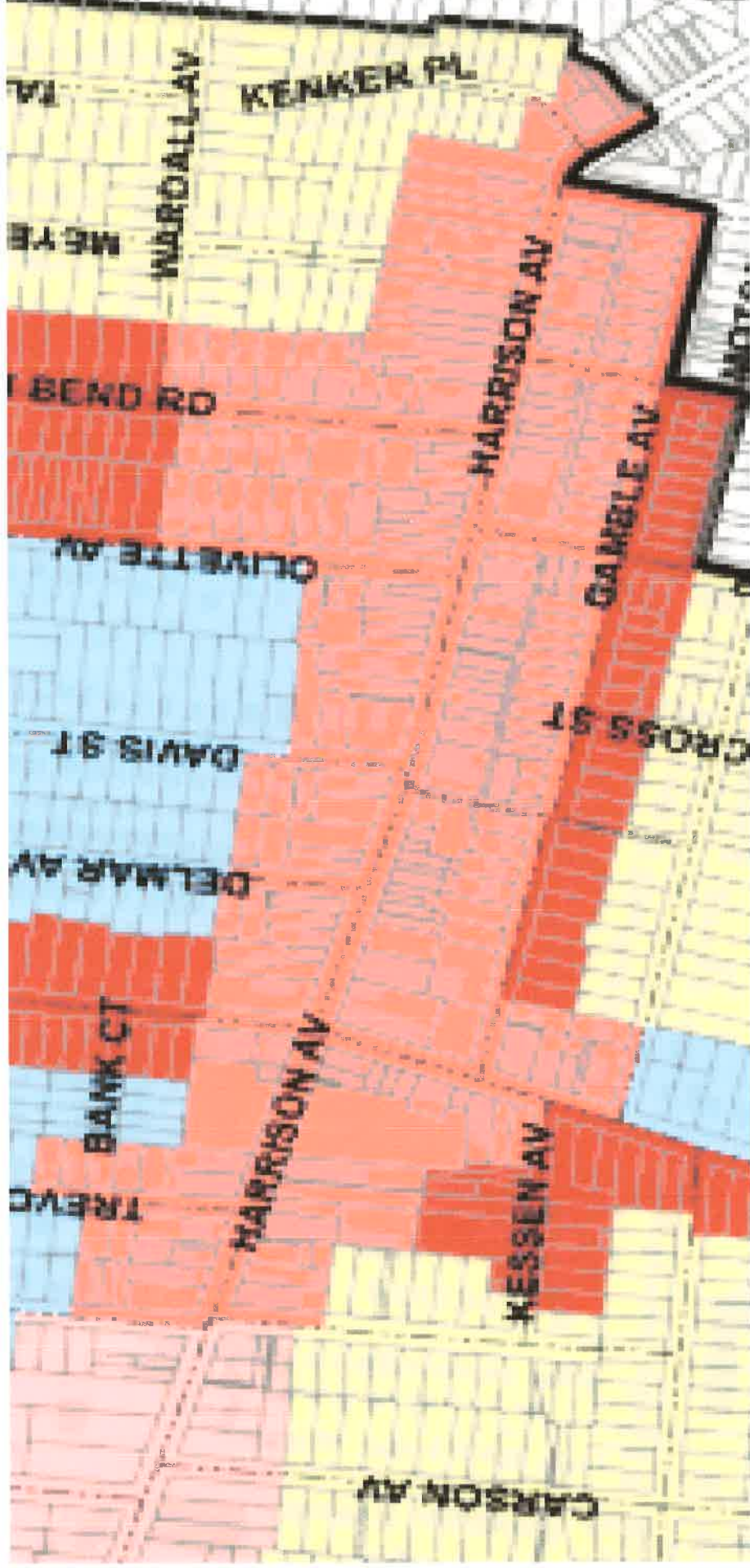
While the submitted data meets the requirements for the Safety Service Director's filing of an application, additional information will be integrated into legislation following public input.

Attachments:

- DORA Application to Council
- DORA Application: Exhibit A
- DORA Application: U.S. Census for Cheviot, OH
- DORA Application: Exhibit A-1
- DORA Application: Exhibit A-2
- DORA Application: Exhibit B
- DORA Application: Exhibit C
- DORA Application: Participation Agreements
- DORA Application: Exhibit D
- DORA Application: Exhibit D-1
- DORA Application: Exhibit E
- DORA Application: Exhibit F
- DORA Application: Attachment F
- DORA Application: Exhibit G
- DORA Application: Exhibit H

Exhibit A

In accordance with ORC 4301.82(B)(1)(b), a map or survey of the proposed outdoor refreshment area in sufficient detail to identify the boundaries of the area, which shall not exceed one hundred fifty contiguous acres if the municipal corporation or township has a population of thirty-five thousand or less.



Cheviot Zoning Map/ DORA Boundaries

-  Business B-OZ zoning
-  Business B-1 zoning- up to Carson

QuickFacts

Cheviot city, Ohio

QuickFacts provides statistics for all states and counties, and for cities and towns with a *population of 5,000 or more*.

Table

All Topics	Cheviot city, Ohio
Population estimates, July 1, 2019, (V2019)	8,209
PEOPLE	
Population	
Population estimates, July 1, 2019, (V2019)	8,209
Population estimates base, April 1, 2010, (V2019)	8,347
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	-1.7%
Population, Census, April 1, 2010	8,375
Age and Sex	
Persons under 5 years, percent	▲ 9.0%
Persons under 18 years, percent	▲ 22.5%
Persons 65 years and over, percent	▲ 12.7%
Female persons, percent	▲ 52.6%
Race and Hispanic Origin	
White alone, percent	▲ 84.2%
Black or African American alone, percent (a)	▲ 11.5%
American Indian and Alaska Native alone, percent (a)	▲ 0.1%
Asian alone, percent (a)	▲ 0.5%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.0%
Two or More Races, percent	▲ 3.4%
Hispanic or Latino, percent (b)	▲ 4.1%
White alone, not Hispanic or Latino, percent	▲ 80.3%
Population Characteristics	
Veterans, 2014-2018	242
Foreign born persons, percent, 2014-2018	3.1%
Housing	
Housing units, July 1, 2019, (V2019)	X
Owner-occupied housing unit rate, 2014-2018	48.6%
Median value of owner-occupied housing units, 2014-2018	\$93,300
Median selected monthly owner costs -with a mortgage, 2014-2018	\$1,100
Median selected monthly owner costs -without a mortgage, 2014-2018	\$517
Median gross rent, 2014-2018	\$687
Building permits, 2019	X
Families & Living Arrangements	
Households, 2014-2018	3,851
Persons per household, 2014-2018	2.12
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	82.4%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	6.2%
Computer and Internet Use	
Households with a computer, percent, 2014-2018	90.0%
Households with a broadband Internet subscription, percent, 2014-2018	75.5%
Education	
High school graduate or higher, percent of persons age 25 years+, 2014-2018	91.0%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	22.8%
Health	
With a disability, under age 65 years, percent, 2014-2018	12.3%
Persons without health insurance, under age 65 years, percent	▲ 9.5%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2014-2018	72.1%
In civilian labor force, female, percent of population age 16 years+, 2014-2018	65.7%
Total accommodation and food services sales, 2012 (\$1,000) (c)	10,347
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	19,567
Total manufacturers shipments, 2012 (\$1,000) (c)	0
Total merchant wholesaler sales, 2012 (\$1,000) (c)	D
Total retail sales, 2012 (\$1,000) (c)	29,910
Total retail sales per capita, 2012 (c)	\$3,592

Transportation	
Mean travel time to work (minutes), workers age 18 years+, 2014-2018	25.2

Income & Poverty

Median household income (in 2018 dollars), 2014-2018	\$46,134
Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$26,186
Persons in poverty, percent	▲ 20.3%

 **BUSINESSES****Businesses**

Total employer establishments, 2018	X
Total employment, 2018	X
Total annual payroll, 2018 (\$1,000)	X
Total employment, percent change, 2017-2018	X
Total nonemployer establishments, 2018	X
All firms, 2012	799
Men-owned firms, 2012	344
Women-owned firms, 2012	324
Minority-owned firms, 2012	79
Nonminority-owned firms, 2012	686
Veteran-owned firms, 2012	41
Nonveteran-owned firms, 2012	724

 **GEOGRAPHY****Geography**

Population per square mile, 2010	7,170.4
Land area in square miles, 2010	1.17
FIPS Code	3914128

About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info ⓘ icon to the left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). *Different vintage years of estimates are not comparable.*

Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper interval of an open ended distribution.
- D Suppressed to avoid disclosure of confidential information
- F Fewer than 25 firms
- FN Footnote on this item in place of data
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- NA Not available
- S Suppressed; does not meet publication standards
- X Not applicable
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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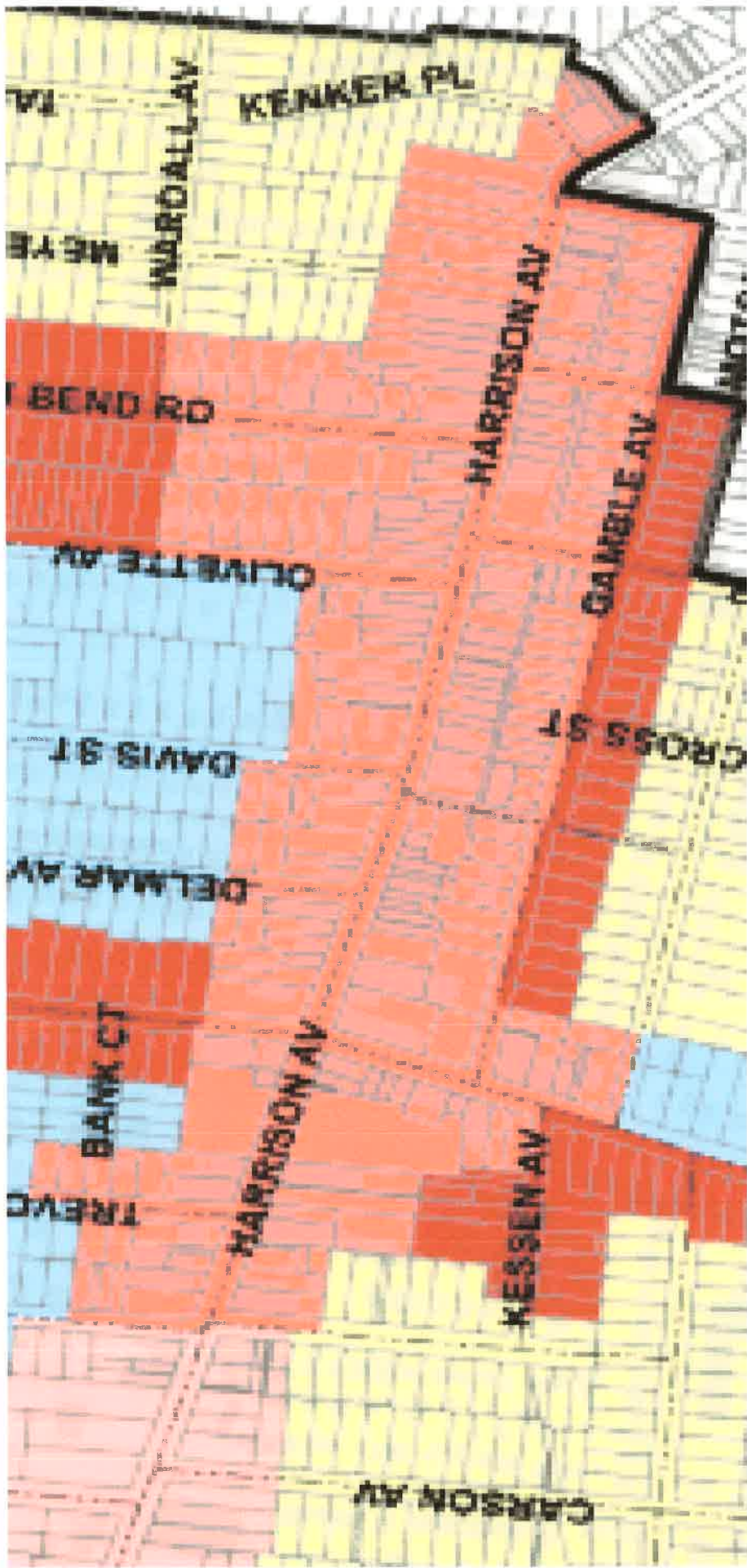
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Exhibit A-1

In accordance with ORC 4301.82(B)(4), the map below shows evidence that the uses of land within the proposed outdoor refreshment area is in accord with the master zoning plan or map of the municipal corporation or township.



Cheviot Zoning Map/ DORA Boundaries

-  Business B-OZ zoning
-  Business B-1 zoning- up to Carson

Exhibit A-2

In accordance with ORC 4301.82(B)(4), the information below shows evidence that the uses of land within the proposed outdoor refreshment area is in accord with the master zoning plan or map of the municipal corporation or township.

§ 150.07 BUSINESS DISTRICT.

(A) In the Business "A" District, any use is permitted except the following:

- (1) Uses hereinafter prohibited in the Business "B" District.
- (2) Bakeries.
- (3) Billboard signs.
- (4) Bottling works, brewing or distilling of liquors.
- (5) Carting, express, hauling, or storage yards.
- (6) Crematory, except in a cemetery.
- (7) Livery stables and riding academies.
- (8) Road houses, dance halls, and commercial summer gardens.
- (9) Stone or monument works.
- (10) Storage, baling, or treatment of junk, iron, rags, bottles, or scrap paper.
- (11) Storage warehouses.
- (12) Wholesale warehouses.
- (13) Any fabrication, manufacturing, treatment, converting, altering, finishing, or assembling uses, except for products retailed primarily from the premises.
- (14) Outside storage, except operable motor vehicles in use.
- (15) No gasoline filling, oil, or greasing service station shall be erected or located within 175 yards of any property used as a church, hospital, or school.
 - (a) No such station shall be erected upon any lot, the dimension of which is less than 150 feet front by 150 feet depth at right angles.
 - (b) No buildings other than the gasoline station buildings shall be erected or permitted to remain on the premises.

(B) In the Business "B" District, any use is permitted except the following:

- (1) Abattoirs, slaughter houses, and stock yards (except for poultry incidental to a retail store).
- (2) Acetylene gas manufacture in excess of 15 pounds pressure per square inch.

(3) Ammonia manufacture.

(4) Animal hospitals and structures where small animals are boarded, if within 200 feet of the residence district.

(5) Asbestos manufacture.

(6) Asphalt manufacture or refining.

(7) Babbitt metal manufacture.

(8) Bag cleaning.

(9) Bleaching powder or chlorine manufacture.

(10) Boiler shops, structural steel fabricating shops, steel car or locomotive shops, railway repair shops, machine shops, or metal working shops operating reciprocating hammers or chisels or other noise-producing machine-operated tools.

(11) Brewing and distilling of liquors except for micro-breweries. For purposes of this section, a MICRO-BREWERY shall be defined to mean a small scale facility for the brewing of beer for sale and consumption on the premises and for sale for consumption off of the premises. Production shall not exceed 10,000 barrels of beer annually. A micro-brewery may include a restaurant or bar to facilitate tasting and retail sales. Nothing in this section shall exempt a micro-brewery from compliance with any provision of R.C. Title 43 or with the corresponding state regulations.

(12) Brick, tile, or terra cotta manufacture.

(13) Bronze powder manufacture.

(14) Carbon, lampblack, or graphite manufacture.

(15) Celluloid or pyroxylin manufacture; explosive or flammable cellulose, or pyroxylin products manufacture.

(16) Cement, lime, gypsum, or plaster of paris manufacture, or the manufacture of products therefrom.

(17) Coal tar manufacture, tar distillation, or mineral dye manufacture.

(18) Coal yards, except where the coal is stored in dustproof containers and the dust controlled by means of effective devices.

(19) Coke ovens and distillation of coal.

(20) Cooperage works.

(21) Corrosion of aluminum, copper, iron, tin, lead, or zinc.

(22) Creosote manufacture or treatment.

(23) Disinfectant or insecticide manufacture, preparation or compounding on a commercial scale.

(24) Electroplating.

- (25) Emery cloth or sandpaper manufacture.
- (26) Enameling, japanning, or lacquering, except incidental to a permitted use.
- (27) Excelsior and fibre manufacture.
- (28) Explosive, or fireworks manufacture, or the storage or loading of explosives in bulk.
- (29) Fat rendering, tallow, grease, or lard refining, or manufacture of candles from fats.
- (30) Felt manufacture, except where dust is controlled by means of effective devices.
- (31) Fertilizer manufacture from organic material or bone distillation, or compounding on a commercial scale.
- (32) Flour milling.
- (33) Foundries, forge shops, or cupolas.
- (34) Gas manufacture of more than 5,000 cubic feet per day.
- (35) Gasoline or oil storage above the ground in quantities exceeding 50 gallons.
- (36) Glucose manufacture.
- (37) Glue or size manufacture or processes involving recovery from fish or animal offal, or fish smoking or curing.
- (38) Ice plant or storage houses of more than 5 tons daily capacity.
- (39) Incineration, reduction or dumping of offal, dead animals, garbage, or refuse on a commercial basis, including loading and transfer platforms.
- (40) Linoleum manufacture.
- (41) Match manufacture.
- (42) Nitrating processes.
- (43) Oilcloth, oiled clothing manufacture, or the impregnation of any fabric by oxidizing oils.
- (44) Paint, oil, shellac, size, varnish, enamel manufacture, or the grinding of colors by machinery.
- (45) Penal or correctional institutions, or institutions for the care or treatment of epileptics or drug or drink addicts or the insane, except where located at least 250 feet from the residence district.
- (46) Petroleum refining.
- (47) Poison manufacture, except for pharmaceutical or medical purposes.
- (48) Potash refining.
- (49) Printing ink manufacture.
- (50) Pulp and paper manufacture.

- (51) Radium or any radioactive material extraction.
- (52) Raw or green salted hides or skins, their curing, dressing, or tanning.
- (53) Rock crushing.
- (54) Rolling or blooming mills.
- (55) Rubber, caoutchouc, or gutta percha manufacture from crude or scrap material, or the manufacture of articles therefrom or from balata, except incidental to tire repairing.
- (56) Salt works.
- (57) Sand blasting or cutting, except where the dust is controlled by effective devices.
- (58) Sewage disposal plants, except those operated by the city.
- (59) Smelting or reduction of ores or metallurgical products.
- (60) Soap, soda ash, caustic soda, or washing compound manufacture.
- (61) Starch or dextrine manufacture.
- (62) Stock yards.
- (63) Stone or monument works, where the aggregate horsepower for driving mechanical equipment for such use exceeds ten horsepower.
- (64) Storage, baling, or treatment of junk, rags, bottles, or scrap paper, except within a building, and where no power-driven devices are employed.
- (65) Sulphurous, sulfuric, nitric, picric, hydrochloric, or other corrosive acid manufacture, their use or storage in quantities exceeding five gallons.
- (66) Sugar refining.
- (67) Tar or asphalt roofing or waterproofing manufacture.
- (68) Turpentine manufacture.
- (69) Vinegar manufacture.
- (70) Welding, except incidental to a permitted use.
- (71) Wire or rod drawing; nut, screw, or bolt manufacture.
- (72) Wood distillation.
- (73) Wool pulling, scouring, or shoddy manufacture.
- (74) Yeast manufacture.
- (75) Any other fabricating, manufacturing treatment, converting, altering, finishing, or assembling uses, where more than 25% of the total actual floor area of the building is occupied by mechanical

equipment, and where the aggregate floor area occupied by the mechanical equipment exceeds the gross area of the entire ground story.

(76) Public garages having any opening in the side or rear walls or roof within 50 feet of the residence district, not equipped with fixed wire glass sashes in incombustible frames.

(77) Gasoline filling, oil, and greasing stations having any oil-draining pit or exposed appliance located within 12 feet of any street line, or within 50 feet of the residence district, except where such appliance or pit is within a building and at least 12 feet from every vehicular entrance or exit to the premises.

(78) Stables, storing or handling manure or bedding within 25 feet of any street line, or within 100 feet of any adjoining lot in the residence district.

(79) Any use which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas, fumes, water-carried waste, noise, or vibration, except that such uses may be permitted by action of the board as provided in § 150.10 (E).

(80) Outside storage, except operable motor vehicles in use.

(81) No gasoline, filling, oil, or greasing service station shall be erected or located within 175 yards of any property used as a church, hospital, or school.

(a) No such station shall be erected upon any lot, the dimension of which is less than 150 feet front by 150 feet depth at right angles.

(b) No buildings other than gasoline station buildings shall be erected or permitted to remain on the premises.

(82) All above uses shall apply except those incidental to a permitted use by the Board of Zoning Appeals.

(C) In the Business B-1 District, the same uses shall be permitted as in the Business B District. However, a ten-foot front yard setback shall also be required.

('73 Code, § 150.07) (Ord. 97-25, passed 9-3-97; Am. Ord. 06-14, passed 10-3-06; Am. Ord. 14-3, passed 2-18-14) Penalty, see § 150.99

Exhibit B

In accordance with ORC 4301.82(B)(2), the general nature and types of establishments located within the DORA consists of a multitude of uses from single and multi-family residential to entertainment, professional services and retail. The area includes the location of City Hall, Police Department, Fire Department, Pioneer Park, Municipal Parking Lot and also includes, but not limited to the following:

- Bars
- Restaurants
- Clothing stores
- Tattoo parlors
- Hardware stores
- Auto repair
- Auto parts
- Funeral home
- Vape shop
- Dry cleaners
- Convenience store
- Furniture store
- Hair salons/ Barber shops
- Professional Office Buildings
- Pawn Shops
- Seamstress
- Massage parlor
- Printing company

Exhibit C

Statement that the proposed DORA will encompass not fewer than four (4) qualified permit holders. [ORC 4301.82(B)(3)]. The Cheviot DORA includes 13 qualified permit holders:

1. Maury's Tiny Cove
2. Public House
3. Dean's Hops and Vine
4. Cheviot Eagles
5. Fogarty's
6. Keller's Cheviot Café
7. Skins Place
8. Rootie's Brickhouse
9. Game Time
10. Roswell's
11. Second Street Saloon
12. Westside Venue
13. Legends Bar and Venue

During the preparation of this application the City had the opportunity to speak with representatives from the majority of the licensed establishments. Based on this, the City has received ten (10) signed letters stating that they would participate if the DORA application is enacted by the Cheviot City Council and following submission to the Ohio Department of Commerce Division of Liquor Control. Based on this response, if approved, the DORA will encompass greater than four (4) qualified permit holders.

Attachment:

Ten Signed DORA Participation Agreements



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

A handwritten signature in black ink, appearing to read "Troy Borgmann", is written over a horizontal line.

Troy Borgmann

Fogarty's

3620 Harrison Avenue

Cheviot, OH 45211



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

A handwritten signature in black ink, appearing to read "Gabriel Flores", is written over a horizontal line.

Gabriel Flores

Flope Bar and Restaurant

3527 Harrison Avenue

Cheviot, OH 45211



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

A handwritten signature in black ink, appearing to read "E. Borgmann", is written over a horizontal line.

Eileen Borgmann

Dean's Hops and Vine

3722 Harrison Avenue

Cheviot, OH 45211



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

Michael P. Robbins

Mike Robbins

Game Time

3613 Harrison Avenue

Cheviot, OH 45211



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

A handwritten signature in black ink, which appears to read "Michael R. Blum". The signature is written in a cursive style and is positioned above a horizontal line.

Mike Blum

Second Street Saloon

3703 Harrison Avenue

Cheviot, OH 45211



DORA Participation Agreement

As a permitted liquor holder within the City of Cheviot, I hereby support the application for the establishment of a Designated Outdoor Refreshment Area (DORA) within the City during the specified hours of operation. If adopted by City Council and approved by the Ohio Department of Commerce, Division of Liquor Control, my/our establishment will agree to participate as a DORA Designated permit holder in compliance with all applicable laws and provisions.

A handwritten signature in black ink, appearing to read "Michael Boland", is written over a horizontal line.

Michael Boland

Skins Place

3508 Harrison Avenue

Cheviot, OH 45211



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A handwritten signature in black ink, which appears to read "Richard J. Bruzina". The signature is written in a cursive style with a long, sweeping underline.

Richard J Bruzina

Roswell's

3735 Glenmore Avenue

Cheviot, OH 45211



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A handwritten signature in cursive script, reading "Mary Luken". The signature is written in black ink and is positioned above a horizontal line.

Mary Luken

Westside Venue

3721 Harrison Avenue #3

Cheviot, OH 45211



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A handwritten signature in black ink, appearing to read "Scott Scherpenberg", is written over a horizontal line.

Scott Scherpenberg

The Public House

3807 North Bend Rd.

Cheviot, OH 45211



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A handwritten signature in black ink, reading "Connie J. Keller", is written over a horizontal line. The signature is cursive and fluid.

Connie J. Keller, Owner

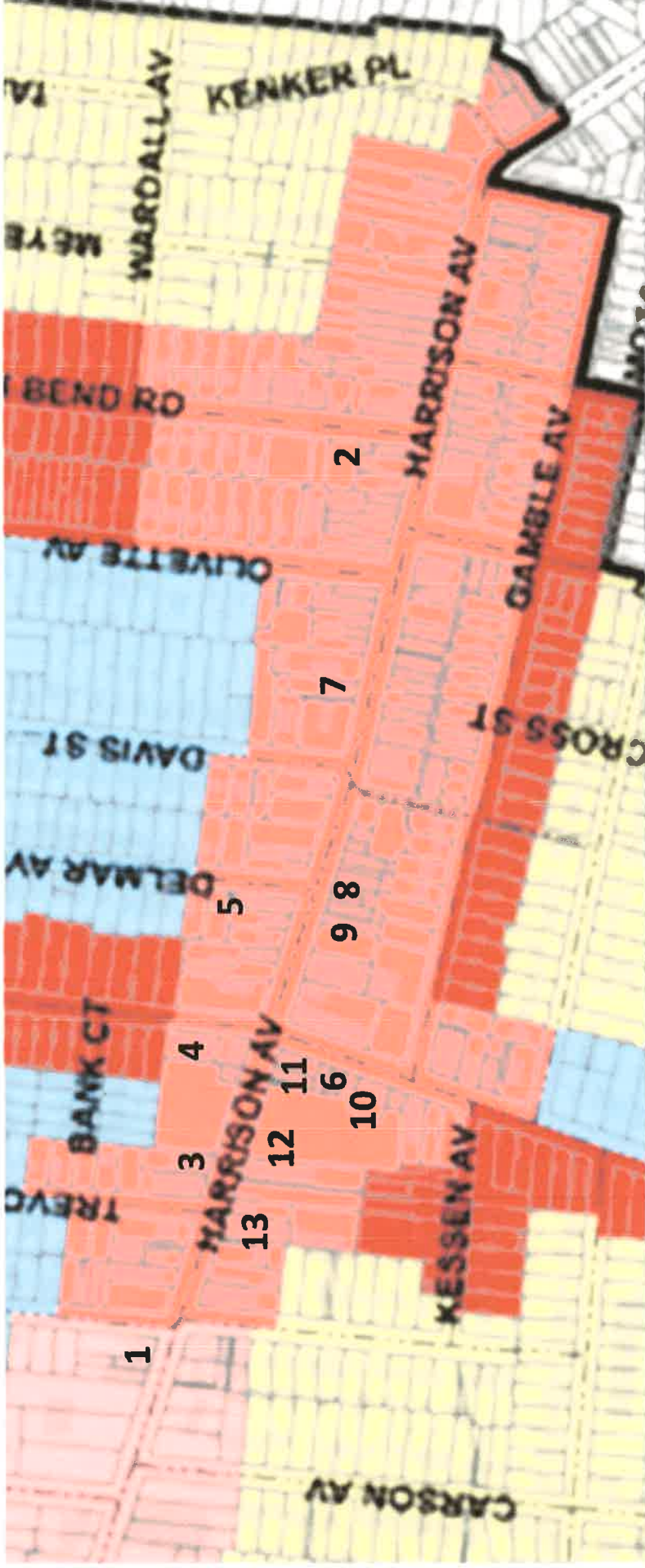
Keller's Cheviot Café

3737 Glenmore Avenue

Cheviot, OH 45211

Exhibit D

In accordance with ORC 4301.82(F)(1)(a), a depiction of the specific boundaries of the area, including and encompassing the premises of the permit holders located at the street addresses is shown below.



CITY OF CHEVIOT ZONING MAP

1. Maury's Tiny Cove [3908 Harrison Ave.]
2. Public House [3807 North Bend Rd.]
3. Dean's Hops and Vine [3722 Harrison Ave.]
4. Cheviot Eagles [3807 Glenmore Ave.]
5. Fogarty's [3620 Harrison Ave.]
6. Keller's Cheviot Café [3737 Glenmore Ave.]
7. Skins Place [3508 Harrison Ave.]
8. Rootie's Brickhouse [3609 Harrison Ave.]
9. Game Time [3613 Harrison Ave.]
10. Roswell's [3535 Glenmore Ave.]
11. Second Street Saloon [3703 Harrison Ave.]
12. Westside Venue [3721 Harrison Ave. #3]
13. Legends Bar and Venue [3801 Harrison Ave.]

Exhibit D-1

Street Name	Range	Even/Odd	
Harrison Ave	3236-3919	Even & Odd	
Kenker Pl	3800	Even	
North Bend Rd	3808-3844	Even & Odd	
Olivette Ave	3814-3840	Even & Odd	
Davis Ave	3708-3833	Even & Odd	
Glenmore Ave	3700-3807	Even & Odd	
Trevor Ave	3816-3832	Even	
Trevor Ave	3831	Odd	Parcel ID:551-0004-0010-00
Lovell Ave	3810-3816	Even	
Gamble Ave	3300-3614	Even	
Gamble Ave	3643	Odd	
Mozart Ave	3644	Even	
Everett Ave	3705-3707	Odd	
Cheviot Ave	3704-3708	Even	
Delmar Ave	3816-3825	Even & Odd	

Exhibit F

ORC 4301.82(B)(5) Proposed requirements for the purpose of ensuring public health and safety within the proposed outdoor refreshment area. ORC 4301.82(F)(1)(d) The number of personnel needed to ensure public safety in the area. ORC4301.82(F)(1)(e) A sanitation plan that will help maintain the appearance and public health of the area.

- Public works is responsible for maintaining appearance and public health within the DORA; Attachment F shows existing and proposed trash receptacle locations.
- Police and fire safety plan; see below.
- Boundary signage plan and location of sign installations; see attached (Exhibit E) in application.

Law Enforcement Responsibilities

The Police Department, that is located centrally within the DORA limits, will be responsible for providing law enforcement services within the DORA. The Police Department will utilize the 2 to 3 officers already assigned per shift.

The on-duty supervisor shall ensure that appropriate attention is provided to the DORA during the hours of operation. For planned events in the DORA that may draw larger than normal attendance, the Police Chief may assign additional officers and/or assign an officer to specifically patrol the DORA.

Fire/EMS Responsibilities

The Fire Department, which is located centrally within the DORA limits, will be responsible for providing Fire, Rescue, and EMS.

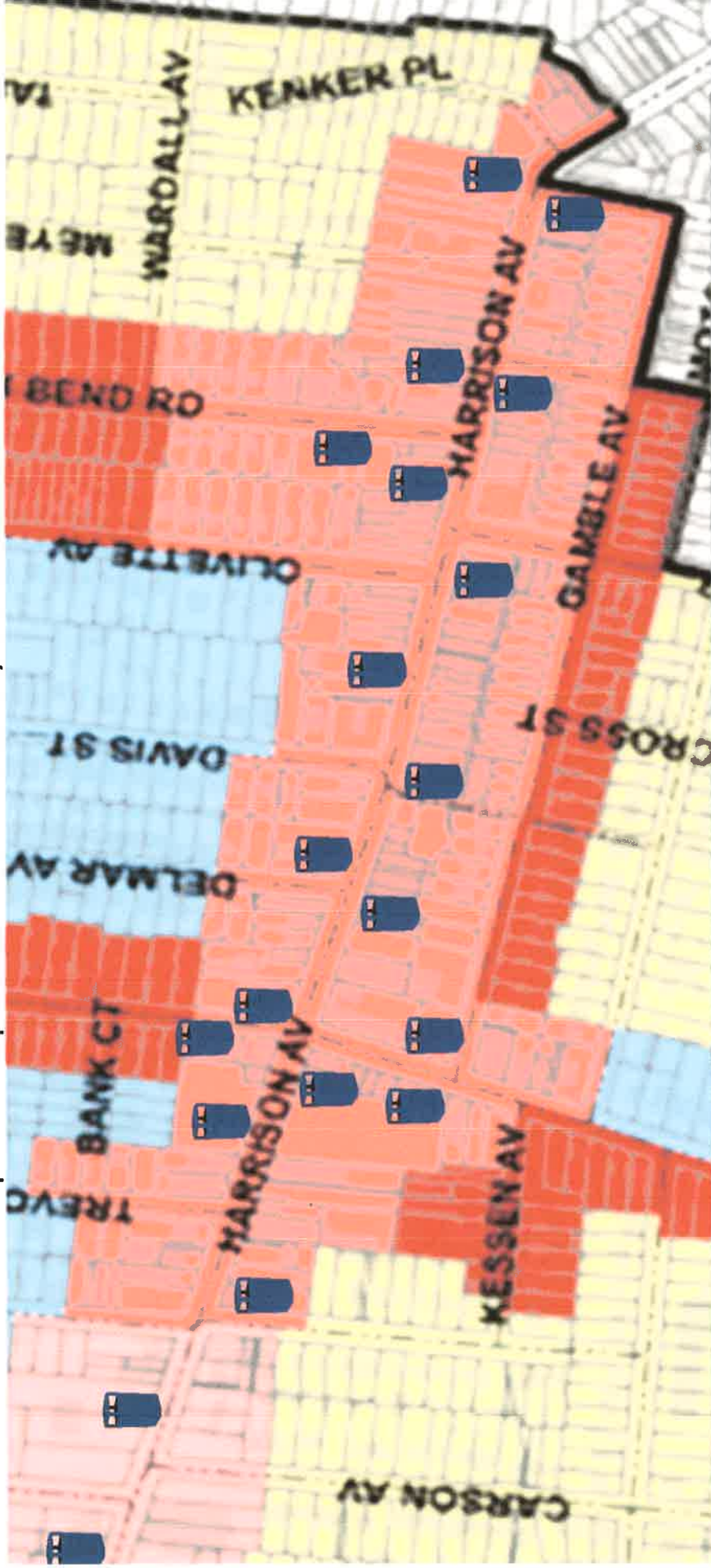
For planned events in the DORA that may draw larger than normal attendance, the Fire Chief may assign additional personnel.

Attachment:

Attachment F

Attachment F

In accordance with ORC 4301.82(B)(5), below are the locations of trash receptacles to help ensure public health and safety within the DORA.



CITY OF CHEVIOT ZONING MAP

-  Proposed location or existing location of trash receptacles
-  DORA Boundary- up to Carson

Exhibit G

City of Cheviot Hours of DORA Operation

In accordance with ORC 4301.82(F)(1)(c) the proposed hours of operation are:

- Monday thru Thursday: 4:00pm to Midnight
- Friday, Saturday and Sunday: Noon – Midnight

Exhibit H

ORC 4301.82(F)(1)(g) A requirement that beer and intoxicating liquor be served solely in plastic bottles or other plastic containers in the area.

The city of Cheviot will purchase special plastic cups with the city logo "We love Cheviot" on one side and the DORA rules on the other side. These special plastic cups can only be purchased thru the city of Cheviot to ensure compliance with the ORC requirement listed above. These special cups will also be easily recognized as Cheviot DORA cups.