

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 21-_____

TO APPROVE THE CONTINUATION OF THE CITY’S DESIGNATED OUTDOOR REFRESHMENT AREA (“DORA”); TO GRANT THE SAFETY-SERVICE DIRECTOR AUTHORITY TO EXTEND THE HOURS OF OPERATION FOR DORA; AND TO DECLARE AN EMERGENCY.

WHEREAS, on October 6, 2020, this Council passed Ordinance 20-22 create a designated outdoor refreshment area (“DORA”) pursuant to the provisions of Ohio Revised Code Section 4301.82, and to enact certain regulations; and

WHEREAS, the hours of operation of the DORA were set forth in the exhibits attached to Ordinance 20-22; and

WHEREAS, pursuant to Ordinance 20-22, Council shall review the requirements of the DORA within one year of the creation and establishment of the DORA to determine whether to continue the DORA under the same or modified terms and conditions or whether to dissolve the DORA according to statutory provisions; and

WHEREAS, this Council has determined that the establishment of the DORA has enhanced the experiences of the patrons of the business establishments and the special events within the City and that it is in the City’s interest to continue the DORA; and

WHEREAS, this Council desires to grant the Safety-Service Director authority to modify or extend the days and hours of the DORA, at his discretion, for special events, holidays, etc.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

Section 1. This Council approves the continued existence of the Designated Outdoor Refreshment in the City of Cheviot, as set forth in Ordinance 20-22 passed on October 6, 2020. This Council shall review the requirements of the DORA, within two (2) years from the date of this Ordinance, to determine whether to continue the DORA under the same or modified terms and conditions or dissolve it according to statutory provisions. The Council also reserves the right to review the DORA at any time prior to the expiration of the two years to determine if the DORA should be modified or dissolved pursuant to statutory provisions.

Section 2. The Safety-Service Director is hereby authorized to modify or extend the days and hours of the DORA, at his discretion, for special events, holidays, etc.

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 its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 4. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order

to ensure that the DORA continues without interruption prior to the expiration of the deadline set forth in Ordinance 20-22 and to avoid the confusion for residents, patrons, and business owners in the City if the DORA temporarily lapses.

Kerry Smyth
President of Council

Date passed

Samuel D. Keller
Mayor

Date approved

Attest:

Approved as to form:

Jenny M. Eilermann
Clerk of Council

Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Western Hills Press*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) _____, 2021, and
- 2) _____, 2021.

Jenny M. Eilermann
Clerk of Council