

June 15, 2022

To: Mayor and Members of City Council 202201371

From: John P. Curp, Interim City Manager

Subject: **EMERGENCY ORDINANCE – APPLICATION FOR THE
MODIFICATION OF A DESIGNATED OUTDOOR REFRESHMENT
AREA**

Attached is an Emergency Ordinance captioned:

AMENDING Ordinance No. 486-2021 to make modifications to the hours of operation of the existing designated outdoor refreshment area in the Westwood neighborhood of Cincinnati, known as the “Westwood DORA,” pursuant to Chapter 838 of the Cincinnati Municipal Code, “Outdoor Refreshment Areas.”

SUMMARY & BACKGROUND

Ohio Revised Code (“ORC”) 4301.82, initially enacted in 2015, allows the executive officer of a municipal corporation to submit an application to its legislative authority for the establishment of a designated outdoor refreshment area (“DORA”). In 2015, City Council enacted Chapter 838 of the Cincinnati Municipal Code (“CMC”), “Outdoor Refreshment Areas,” to provide for the creation of DORAs within the City of Cincinnati.

On December 15, 2021, City Council passed Ordinance No. 486-2021 approving an application for the creation of a designated outdoor refreshment area in the Westwood neighborhood of Cincinnati.

This submitted legislation contains an application for the modification of a DORA in the Westwood neighborhood covering the area depicted in Attachment A.

PROJECT DESCRIPTION

The application for the modification of a designated outdoor refreshment area amends certain public health and safety requirements depicted in the original application. Specifically, the proposed modification expands the hours of operation of the DORA on Saturday and Sunday from 12:00 PM – 11:00 PM to 10:00 AM – 11:00 PM. No other modifications to the original application have been made.

APPROVAL PROCESS, PUBLIC NOTICE, AND COMMUNITY ENGAGEMENT

Under state law the City Administration has published public notice of this application prior to consideration of this legislation by City Council. City Council must then act on the proposed application no less than thirty days and no more than sixty days from publication of notice. The City Administration has been deeply engaged with stakeholders in the Westwood neighborhood in assembling the proposed application and will continue that engagement process with community groups and stakeholders throughout implementation of the Westwood DORA.

PROJECT RATIONALE

The goal of the proposed modification to the Westwood DORA is to allow special events that weren't accounted for in Westwood's initial conversations to occur. The Westwood Art Show, which typically includes a beer truck or booth but will now utilize the DORA, starting at 11:00 a.m. on the second Saturday in September. Recently, West Side Market event organizers decided to relocate their events from Cheviot to Westwood Town Hall Park. Their event starting time is 10:00 a.m. on the first Saturday of each month from May to October. Typically, they had a beer truck at their events, but now will take advantage of the Westwood DORA. Finally, a couple of participating businesses serve brunch and this amendment to the hours will allow the option for customers to take their brunch to the park.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment: A. Westwood DORA Boundary

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

ATTACHMENT A: WESTWOOD DORA BOUNDARY

