

RESOLUTION NO. 24 , 2023

A RESOLUTION AMENDING RESOLUTION NO. 26, 2020 TO MODIFY THE AUTHORIZED HOURS OF OPERATION FOR THE DESIGNATED OUTDOOR REFRESHMENT AREA DISTRICT WITHIN THE CITY OF MONTGOMERY, OHIO

WHEREAS, on August 5, 2020, Council enacted Resolution No. 26, 2020 entitled, *A Resolution Creating A Designated Outdoor Refreshment Area Within The Old Montgomery Gateway District Now Known As The Montgomery Quarter And Portions Of The Old Montgomery/Heritage District And Montgomery Corridor*; and

WHEREAS, following the procedures of R.C. § 4301.82, by this enabling Resolution Council established a Designated Outdoor Refreshment Area (“DORA”) establishing the hours of operation as 5:00 PM to 11:00 PM Monday through Thursday, 5:00 PM to Midnight on Fridays, Noon to Midnight on Saturdays, and Noon to 9:00 PM on Sundays; and

WHEREAS, as required by R.C. § 4301.82, a copy of the Resolution was presented to the designated agencies with the State of Ohio to establish the DORA, which has now been in operation for almost three years; and

WHEREAS, with the success of the DORA, the City Manager has recommended modifying the authorized hours of operation within the DORA to extend the hours for Friday operation from Noon to Midnight, consistent with the hours for Saturday operation, and he has recommended reaffirming all other portions of the original Resolution to continue the success of the DORA as authorized in the enabling Resolution; and

WHEREAS, notice of this proposed legislative action to modify the authorized DORA hours has been published once a week for two consecutive weeks in the *Cincinnati Enquirer* prior to presenting this Resolution for a vote of City Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of

Montgomery, Hamilton County, Ohio, that:

SECTION 1. City Council determines that all public notice requirements of R.C. § 4301.82 prior to the passage of this Resolution have been met.

SECTION 2. Section 6 of Resolution No. 26, 2020 is hereby modified to expand the authorized hours of operation within the DORA for Fridays from Noon to Midnight. All other hours of operation, Monday through Thursday 5:00 PM to 11:00 PM, Saturday Noon to Midnight, and Sunday Noon to 9:00 PM, and the right of the City Manager to designate special hours within the DORA for holidays and special events, is hereby reaffirmed.

SECTION 3. Exhibit D, *Signage Plan Identifying the DORA Area*, and Exhibit E, *Requirements for Ensuring Public Health and Safety Within the DORA*, attached to Resolution No. 26, 2020 are hereby modified accordingly to reflect these expanded Friday hours. All other sections and the Exhibits presented with Resolution No. 26, 2020 are hereby reaffirmed to continue the operations of the designated DORA.

SECTION 4. As is required by R.C. § 4301.82, the Clerk of Council is hereby authorized to forward a copy of this Resolution to the Ohio Division of Liquor Control and to the Investigative Unit of the Ohio Department of Public Safety to provide notice of these modifications.

SECTION 5. This Resolution shall be in full force and effect from and after its passage.

PASSED: July 6, 2023

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Craig D. Margolis
Craig D. Margolis, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellan
Terrence M. Donnellan, Law Director