

APPLICATION TO THE VAN WERT CITY COUNCIL
for the establishment of a
DOWNTOWN VAN WERT DESIGNATED
OUTDOOR REFRESHMENT AREA
PURSUANT TO ORC 4301.82

The Mayor respectfully submits the following application to the Van Wert City Council to approve and enact the Downtown Van Wert Designated Outdoor Refreshment Area, in accordance with O.R.C. 4301.82

Mayor, Kenneth J. Markward

A handwritten signature in cursive script, reading "Kenneth J. Markward", is written over a horizontal line.

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I. INTRODUCTION AND SUBMITTAL OF APPLICATION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes, effective April 30, 2017, municipalities under 35,000 in population to create a Designated Outdoor Refreshment Area or "DORA." In order to consider creation of a DORA, the Executive Officer of the City of Van Wert must file an application with the Van Wert City Council (City Council), which meets certain statutory requirements. The application filing must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application by ordinance or resolution.

Main Street Van Wert expressed general support for the concept and indicated by its discussion a desire for this application to be prepared as the next step in considering enactment of a DORA.

In summary, this application provides the following:

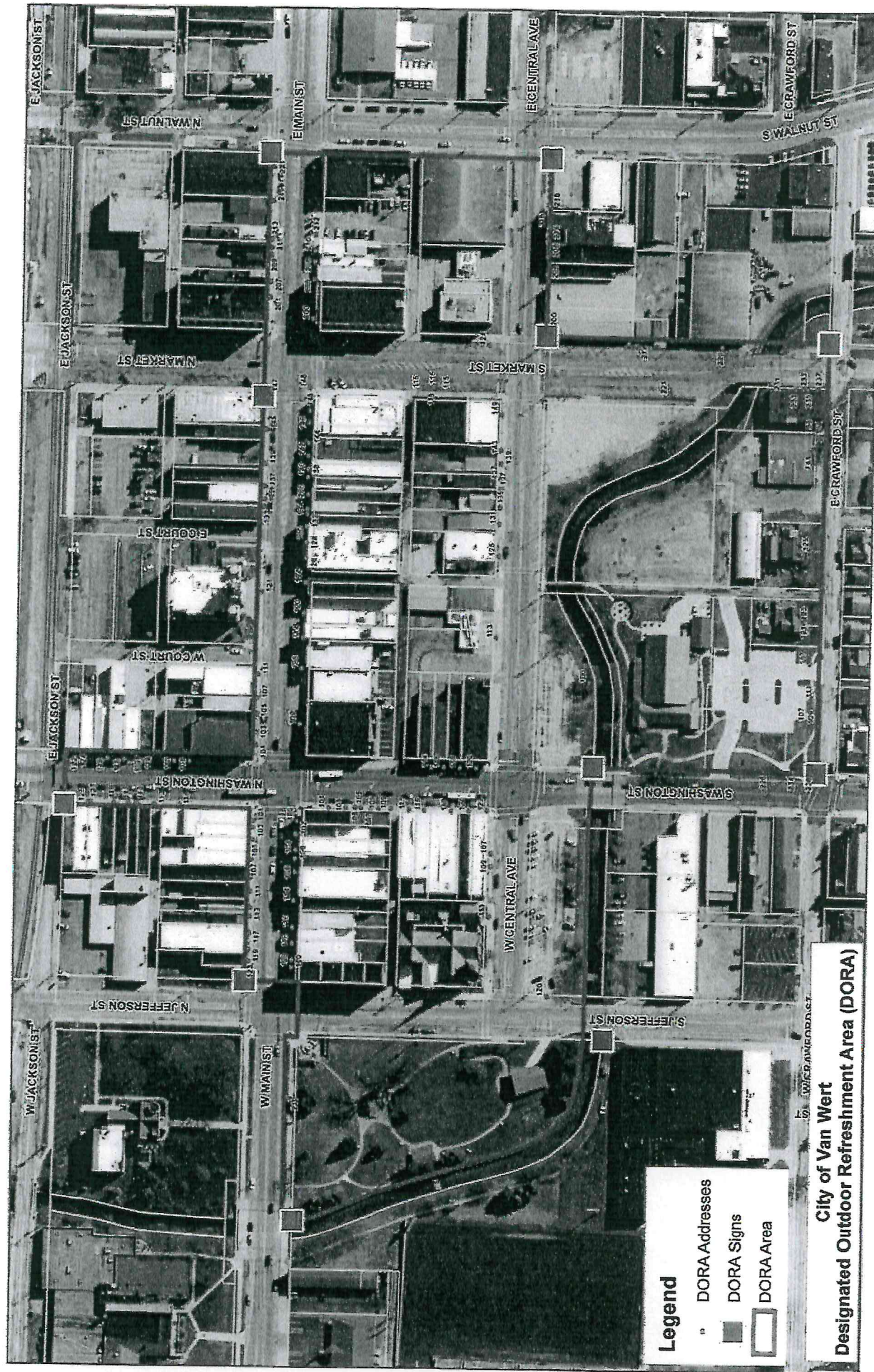
- A. The DORA would ease or make more accessible outdoor dining in front of liquor permit holding establishments. It would allow such establishments to serve alcoholic beverages in a 16 oz plastic cup pursuant to the law within a designated area during certain hours. Creation of the DORA would relieve these establishments of current requirements for fencing around a dining area. Signage, sanitation and safety requirements would be established by permits issued by the City.
- B. The Van Wert DORA would provide the ability for individuals to walk within the DORA boundaries with an alcoholic beverage purchased from a liquor permit holding establishment during permitted hours. This authority would be limited to the hours of 12:00 noon to 11:00 PM seven days per week subject to C. below.
- C. Van Wert City Council retains the right to temporarily suspend the DORA for a period of seven (7) days in order to accommodate the permitting of special events that may occur within the boundaries of the DORA.

II. BOUNDARIES

In accordance with ORC 4301.82(B)(1)(b), the boundaries of the DORA are depicted in the following map and described as follows. A list of the street addresses within the DORA are also attached.

Designated Outdoor Refreshment Area (DORA)

The proposed boundary is outlined in solid red lines and encompasses 22.93 acres. The proposed boundary extends between E. Main Street from Walnut Street heading West to the western boundary of Fountain Park. The boundary will go South on Walnut Street to Central Avenue and then west along Central Avenue to S. Market Street from there it will go south to E. Crawford Street from there it will extend west to S. Washington Street. The boundary will run North along S. Washington Street to the North border of Town Creek and will run West along the North Bank of Town Creek to west to Fountain Park and as the creek turns north along the western boundary of Fountain Park to W. Main Street.



Legend

- DORA Addresses
- DORA Signs
- DORA Area

City of Van Wert
Designated Outdoor Refreshment Area (DORA)

Address	City	State	Zip
100 E CENTRAL AVE	VAN WERT	OH	45891
120 W CENTRAL AVE	VAN WERT	OH	45891
210 W MAIN ST	VAN WERT	OH	45891
236 S WASHINGTON ST	VAN WERT	OH	45891
234 S WASHINGTON ST	VAN WERT	OH	45891
226 S WASHINGTON ST	VAN WERT	OH	45891
123 S WASHINGTON ST	VAN WERT	OH	45891
120 S WASHINGTON ST	VAN WERT	OH	45891
121 S WASHINGTON ST	VAN WERT	OH	45891
118 S WASHINGTON ST	VAN WERT	OH	45891
117 S WASHINGTON ST	VAN WERT	OH	45891
116 S WASHINGTON ST	VAN WERT	OH	45891
114 S WASHINGTON ST	VAN WERT	OH	45891
115 S WASHINGTON ST	VAN WERT	OH	45891
113 S WASHINGTON ST	VAN WERT	OH	45891
109 S WASHINGTON ST	VAN WERT	OH	45891
109 1/2 S WASHINGTON ST	VAN WERT	OH	45891
105 A S WASHINGTON ST	VAN WERT	OH	45891
103 S WASHINGTON ST	VAN WERT	OH	45891
101 S WASHINGTON ST	VAN WERT	OH	45891
237 S MARKET ST	VAN WERT	OH	45891
235 S MARKET ST	VAN WERT	OH	45891
233 1/2 S MARKET ST	VAN WERT	OH	45891
233 S MARKET ST	VAN WERT	OH	45891
231 S MARKET ST	VAN WERT	OH	45891
124 S MARKET ST	VAN WERT	OH	45891
115 S MARKET ST	VAN WERT	OH	45891
115 S MARKET ST	VAN WERT	OH	45891
115 S MARKET ST	VAN WERT	OH	45891
115 S MARKET ST	VAN WERT	OH	45891
148 1/2 E MAIN ST	VAN WERT	OH	45891
153 E CRAWFORD ST	VAN WERT	OH	45891
151 E CRAWFORD ST	VAN WERT	OH	45891

141 E CRAWFORD ST	VAN WERT	OH	45891
125 E CRAWFORD ST	VAN WERT	OH	45891
123 E CRAWFORD ST	VAN WERT	OH	45891
121 E CRAWFORD ST	VAN WERT	OH	45891
117 E CRAWFORD ST	VAN WERT	OH	45891
111 E CRAWFORD ST	VAN WERT	OH	45891
107 E CRAWFORD ST	VAN WERT	OH	45891
109 E CRAWFORD ST	VAN WERT	OH	45891
113 E CENTRAL AVE	VAN WERT	OH	45891
125 E CENTRAL AVE	VAN WERT	OH	45891
131 E CENTRAL AVE	VAN WERT	OH	45891
135 E CENTRAL AVE	VAN WERT	OH	45891
137 E CENTRAL AVE	VAN WERT	OH	45891
137 1/2 E CENTRAL AVE	VAN WERT	OH	45891
139 E CENTRAL AVE	VAN WERT	OH	45891
143 E CENTRAL AVE	VAN WERT	OH	45891
149 E CENTRAL AVE	VAN WERT	OH	45891
200 E CENTRAL AVE	VAN WERT	OH	45891
206 E CENTRAL AVE	VAN WERT	OH	45891
208 E CENTRAL AVE	VAN WERT	OH	45891
214 E CENTRAL AVE	VAN WERT	OH	45891
216 E CENTRAL AVE	VAN WERT	OH	45891
218 E CENTRAL AVE	VAN WERT	OH	45891
221 E MAIN ST	VAN WERT	OH	45891
215 E MAIN ST	VAN WERT	OH	45891
212 E MAIN ST	VAN WERT	OH	45891
213 E MAIN ST	VAN WERT	OH	45891
211 E MAIN ST	VAN WERT	OH	45891
210 E MAIN ST	VAN WERT	OH	45891
209 1/2 E MAIN ST	VAN WERT	OH	45891
209 E MAIN ST	VAN WERT	OH	45891
208 E MAIN ST	VAN WERT	OH	45891
206 E MAIN ST	VAN WERT	OH	45891
207 E MAIN ST	VAN WERT	OH	45891

201 E MAIN ST	VAN WERT	OH	45891
200 E MAIN ST	VAN WERT	OH	45891
147 E MAIN ST	VAN WERT	OH	45891
148 E MAIN ST	VAN WERT	OH	45891
146 E MAIN ST	VAN WERT	OH	45891
145 E MAIN ST	VAN WERT	OH	45891
142 E MAIN ST	VAN WERT	OH	45891
144 E MAIN ST	VAN WERT	OH	45891
139 E MAIN ST	VAN WERT	OH	45891
140 E MAIN ST	VAN WERT	OH	45891
138 E MAIN ST	VAN WERT	OH	45891
137 E MAIN ST	VAN WERT	OH	45891
136 E MAIN ST	VAN WERT	OH	45891
135 E MAIN ST	VAN WERT	OH	45891
133 E MAIN ST	VAN WERT	OH	45891
134 E MAIN ST	VAN WERT	OH	45891
132 E MAIN ST	VAN WERT	OH	45891
130 E MAIN ST	VAN WERT	OH	45891
128 E MAIN ST	VAN WERT	OH	45891
126 E MAIN ST	VAN WERT	OH	45891
124 E MAIN ST	VAN WERT	OH	45891
121 E MAIN ST	VAN WERT	OH	45891
120 E MAIN ST	VAN WERT	OH	45891
114 E MAIN ST	VAN WERT	OH	45891
111 E MAIN ST	VAN WERT	OH	45891
107 E MAIN ST	VAN WERT	OH	45891
105 E MAIN ST	VAN WERT	OH	45891
102 E MAIN ST	VAN WERT	OH	45891
103 E MAIN ST	VAN WERT	OH	45891
101 E MAIN ST	VAN WERT	OH	45891
107 W CENTRAL AVE	VAN WERT	OH	45891
109 W CENTRAL AVE	VAN WERT	OH	45891
113 W CENTRAL AVE	VAN WERT	OH	45891
108 N WASHINGTON ST	VAN WERT	OH	45891

111 N WASHINGTON ST	VAN WERT	OH	45891
110 N WASHINGTON ST	VAN WERT	OH	45891
113 N WASHINGTON ST	VAN WERT	OH	45891
112 N WASHINGTON ST	VAN WERT	OH	45891
114 N WASHINGTON ST	VAN WERT	OH	45891
113 1/2 N WASHINGTON ST	VAN WERT	OH	45891
115 N WASHINGTON ST	VAN WERT	OH	45891
117 N WASHINGTON ST	VAN WERT	OH	45891
116 N WASHINGTON ST	VAN WERT	OH	45891
119 N WASHINGTON ST	VAN WERT	OH	45891
118 N WASHINGTON ST	VAN WERT	OH	45891
123 N WASHINGTON ST	VAN WERT	OH	45891
125 N WASHINGTON ST	VAN WERT	OH	45891
122 N WASHINGTON ST	VAN WERT	OH	45891
124 N WASHINGTON ST	VAN WERT	OH	45891
100 W MAIN ST	VAN WERT	OH	45891
101 W MAIN ST	VAN WERT	OH	45891
103 W MAIN ST	VAN WERT	OH	45891
102 W MAIN ST	VAN WERT	OH	45891
105 W MAIN ST	VAN WERT	OH	45891
104 W MAIN ST	VAN WERT	OH	45891
106 W MAIN ST	VAN WERT	OH	45891
107 W MAIN ST	VAN WERT	OH	45891
108 W MAIN ST	VAN WERT	OH	45891
109 W MAIN ST	VAN WERT	OH	45891
111 W MAIN ST	VAN WERT	OH	45891
114 W MAIN ST	VAN WERT	OH	45891
113 W MAIN ST	VAN WERT	OH	45891
115 W MAIN ST	VAN WERT	OH	45891
116 W MAIN ST	VAN WERT	OH	45891
117 W MAIN ST	VAN WERT	OH	45891
118 W MAIN ST	VAN WERT	OH	45891
119 W MAIN ST	VAN WERT	OH	45891
120 W MAIN ST	VAN WERT	OH	45891

123 W MAIN ST	VAN WERT	OH	45891	
120 W MAIN ST	VAN WERT	OH	45891	
108 E MAIN ST	VAN WERT	OH	45891	
107 S WASHINGTON ST	VAN WERT	OH	45891	
105 B S WASHINGTON ST	VAN WERT	OH	45891	
221 S MARKET ST	VAN WERT	OH	45891	
220 S MARKET ST	VAN WERT	OH	45891	
214 S MARKET ST	VAN WERT	OH	45891+A1A120:D144	

III. NATURE OF ESTABLISHMENTS

In accordance with ORC 4301.82(B)(2), the nature and types of establishments that will be located within the DORA are listed below.

The types of establishments located within the DORA are primarily businesses in the retail, dining, or services sectors. Examples include:

Business Name	Business Category	Business Address
Truly Divine	Food and Drink	117 W. Main Street
Inked Again	Retail	109 W. Main Street
Brewed Expressions	Food and Drink	109 W. Main Street
Sister's Bridal Boutique	Retail	101 W. Main Street
Rauch Law Office	Professional Services	120 W. Main Street
John E. Hatcher, Attorney at Law	Professional Services	120 W. Main Street
Van Crest, Inc	Other Services	120 W. Main Street
John Eversman, DDS	Professional Services	120 W. Main Street
Hatcher Law Offices	Professional Services	120 W. Main Street
Scot Gordon, Attorney at Law	Professional Services	114 W. Main Street
Koch Law offices	Professional Services	106 W. Main Street
Redwing Boots	Retail	103 E. Main Street
Diller and Rice	Professional Services	124 E. Main Street
Bistro	Food and Drink	133 E. Main Street
The Edition	Food and Drink	E. Main Street
Kate's Diamond Mine	Food and Drink	142 E. Main Street
Van Wert Area Economic Development	Professional Services	145 E. Main Street
Keister and Baker	Professional Services	124 S. Market Street
Van Wert Massotherapy	Other Services	149 E. Central
Wassenberg Art Center	Other Services	214 S. Washington S
Peking	Food and Drink	115 S. Washington S
The Well	Food and Drink	109 S. Washington S
Rhodes Insurance	Other Services	100 W. Main Street
American Family	Other Services	118 S. Washington
Purmort Brothers	Other Services	101 W. Crawford St
Lifestyle Furniture	Other Services	117 S. Washington
Angel Intervention	Other Services	123 S. Washington
Black Angus	Food and Drink	222 E. Main Street
The Old South	Food and Drink	213 E. Main Street

IV. QUALIFYING PERMIT HOLDERS

In accordance with ORC 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders.

Van Wert has identified (5) qualified permit holders that will be included in the DORA:

The Edition	Food and Drink	E. Main Street
Kate's Diamond Mine	Food and Drink	142 E. Main Street
Black Angus	Food and Drink	222 E. Main Street
The Old South	Food and Drink	213 E. Main Street
Wassenberg Art Center	Other Services	214 S. Washington S

V. LAND USE AND ZONING

In accordance with ORC 4301.82(B)(4), the uses of land within the current and future DORA are zoned B-2 (Central Business), and are in accord with Van Wert's zoning plan.

VI. PUBLIC HEALTH AND SAFETY

In accordance with ORC 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health and safety within the DORA shall include:

Outdoor Dining in Right of Way:

Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Van Wert right of way (adjacent to the establishment), must obtain a right of way permit to meet the requirements of the Van Wert Code of Ordinances for right of way use, and the DORA. These policies will require the qualifying permit holder to submit a sanitation plan, and the physical layout of the tables, chairs and other facilities to among other things comply with ADA requirements. It is anticipated that busing of tables will be required and/or adequate trash cans be in place. Additionally, the permit review will ensure that there are adequate pedestrian passageways and that ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.

Special Events:

The City of Van Wert requires that each special event using City property receive a permit from the City. Permit requirements may differ between events depending on size, layout use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public and safety requirements.

City of Van Wert DORA Safety Plan:

The Safety Plan will help maintain public safety within the DORA, and designate the number of personnel needed to execute the Safety Plan. This will be accomplished in the following manner.

Current Public Safety personnel are adequate to maintain public safety within the DORA district. The City of Van Wert Police Department (VWPD) currently has multiple overlapping shifts which will enable it to maintain public safety within the DORA to include the downtown core business district and main street business district.

VWPD has flexibility when deploying resources and has years of experience dealing with all of the downtown events such as the Peony festival, Town Creek Live and the Harvest Moon Festival. Staffing for the DORA would consist of:

1. Utilizes the current schedules of the VWPD 7a-3p, 3p-11p, and 11p-7a and gives the ability to actively patrol the DORA and have a visible presence in the assigned area.
2. All supervisors or OIC's (Officer's in Charge) have the flexibility to call in additional manning for emergency situations or if large crowds start to get out of control.

Beginning with the commencement of the DORA and continuing for a period of six (6) consecutive months, the Safety Service Director of the City of Van Wert, and the Chief of Police shall meet monthly to review the Safety Plan herein. The purpose of this meeting will be to determine whether updates, modifications or supplementations may be advisable or required, and in said event, such changes shall be presented to Council for consideration and implementation.

The Safety Service Director of the City of Van Wert and the Chief of Police shall meet and review the Safety Plan for any special events within the DORA or as other circumstances may require or arise.

The Safety Service Director of the City of Van Wert and the Chief of Police have determined that the Safety Plan described herein is sufficient to maintain public safety within the DORA. This Safety Plan can be executed with the existing personnel of the City of Van Wert.