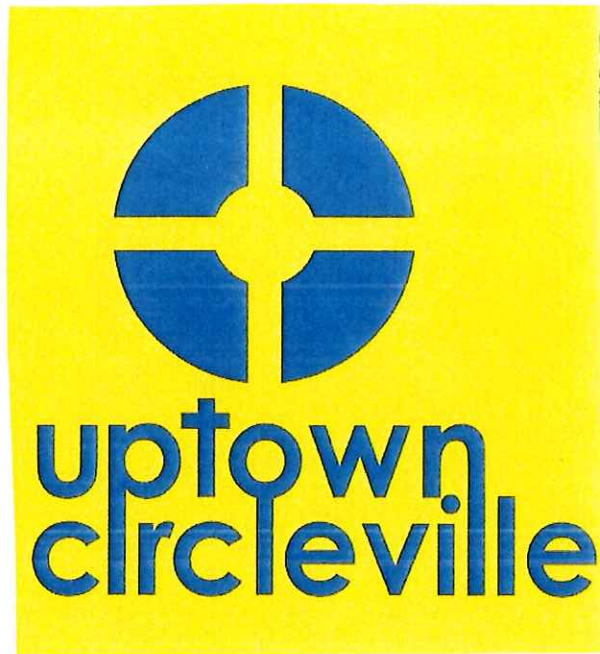


*Uptown DORA*



*Circleville, Ohio*

*Designated Outdoor Refreshment Area*

**APPLICATION**

## INTRODUCTION AND SUBMITTAL OF APPLICATION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes municipalities with a population of 35,000 or less to create a Designated Outdoor Refreshment Area (DORA) of up to 150 contiguous areas. The executive officer (Mayor) of the applicable Municipal Corporation must file an application with the Circleville City Council (City Council) that meets certain statutory requirements to create a DORA. Notice of the application filing must be provided in a newspaper of general circulation for two consecutive weeks. The initial publication of the notice must occur between 30 and 60 days prior to the City Council's vote to approve or disapprove the application by ordinance.

Attached to this application (Exhibit A) is a letter from Uptown Circleville Inc. requesting the City Council adopt legislation to create a DORA in a portion of Circleville, Ohio. In the wake of COVID-19 mandated shutdowns and restrictions, increased presence of experimental destinations in neighborhood communities and competition from major online and big box retailers, now more than ever we need to support the economic health of historic commercial business districts.

This application also includes the following:

- I. A map of the DORA boundaries (Exhibit B)
- II. Proposed requirements for ensuring the public health and safety within the DORA
- III. The nature and type of establishments that will be in a DORA
- IV. A list of qualifying permit holders that will likely participate in the DORA (Exhibit C)
- V. Land use and zoning within the DORA

EXHIBIT "A"



Mr. Donald R. McIlroy  
104 East Franklin St.  
Circleville, Ohio 43113

6/01/2021

Mayor,

Uptown Circleville has been established to be the heart of our community. It is home to locally owned businesses, listed in the National Register of Historic Places, and a place we gather as a community. Uptown Circleville continues to work to maintain the economic vitality and historic character of Circleville. In the wake of covid-19 mandated shutdowns and restrictions, increased presence of experiential destinations in neighboring communities, and competition from major online and big box retailers, now more than ever we need to support the economic health of our historic commercial business district.

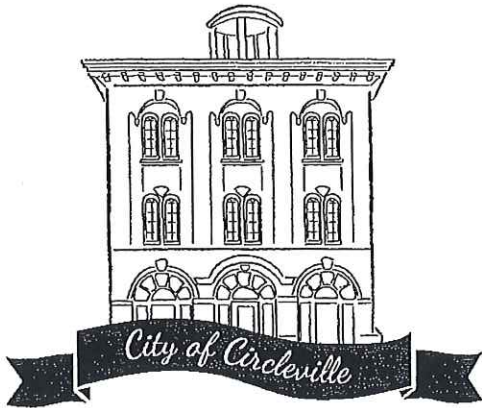
To that end, Uptown Circleville is asking that the City of Circleville City Council pass a new ordinance pursuant to the new legislation (ORC 4301.82) to create a "Designated Outdoor Refreshment Area" (DORA) in Circleville.

We are suggesting the hours of operation for the DORA to be: 2nd & 3rd Thursday and Friday of each Month from 5PM - 10PM and on the same weekends Saturday from 12PM-10PM. Saturday's hours are to align more for when both liquor permit holders and retail businesses are open for business.

We submit this proposal to you with the enthusiastic backing of the participating liquor permitted businesses, as well as our most popular retail establishments. Please do not hesitate to contact us if we can be of assistance as you pursue this new ordinance.

Sincerely,

Richard Rhoades  
President Uptown Circleville



Donald R. McIlroy  
Mayor

OFFICE OF THE MAYOR  
Donald R. McIlroy, Mayor

City Administration Building  
104 East Franklin Street  
Circleville, OH 43113  
P: (740) 477-8200  
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[www.ci.circleville.oh.us](http://www.ci.circleville.oh.us)

Date: June 15, 2021

Mr. David Crawford  
Circleville City Council President  
133 South Court Street  
Circleville, Ohio 43113

Mr. Crawford,

Uptown Circleville has been established to be the heart of our community. To that end, Uptown Circleville is asking that the City of Circleville City Council pass a new ordinance pursuant to the new legislation (ORC 4301.82) to create a "Designated Outdoor Refreshment Area" (DORA) in the City of Circleville.

To create a DORA, an application, must be filed with the applicable Legislative Authority of the Municipal Corporation where the DORA will exist. The application must be filed by the executive office of the applicable Municipal Corporation.

This application includes all information sufficient to apply for the DORA:

- I. A map of the DORA boundaries (Exhibit B).
- II. Proposed requirements for ensuring the public health and safety within the DORA.
- III. The nature and type of establishments that will be in the DORA.
- IV. A list of qualifying permit holders that will likely participate in the DORA.
- V. Land use and zoning within the DORA.

As Mayor, I submit this proposal as required by the Ohio Department of Commerce.

Sincerely,

Donald R. McIlroy  
Mayor, City of Circleville









## PUBLIC HEALTH AND SAFETY

In accordance with O.R.C. 4301.82 (B)(5), the proposed requirements for ensuring public health and safety are included below:

### **A. Signage:**

1. All DORA signage shall use the logo and branding as shown in the attached Exhibit A, which may be updated from time to time by Uptown Circleville, with consent of the City.
2. Uptown Circleville shall provide temporary signage (i.e., sandwich boards), and arrange for placement identifying the DORA boundaries on the following streets.
  - Main Street (East and West boundaries.)
  - High St. (North boundary)
  - Watt St. (East boundary)
  - Court Street (North and South boundaries)
3. Participating businesses shall post a sign with the Uptown Circleville logo in their front window stating their participation and DORA hours.
4. Participating businesses with a side/rear public entrance shall post signage thereon that DORA beverages are not permitted outside that entrance.
5. Nonparticipating business shall post signs indicating DORA beverages are not allowed on their premises.

### **B. DORA – Identified Containers:**

1. Uptown Circleville shall determine an approved DORA–identified container, which may either have branding printed directly upon it, or may be a label/sticker for establishments to place upon their own plastic cups. All Dora-identified cups shall be plastic that is compostable and or recyclable.
2. All establishments within the DORA shall only serve DORA beverage in the DORA-identified container.

### **C. Law Enforcement:**

1. With the exception of open-container provisions, the Circleville City Police shall enforce all laws and ordinances, including but not limited to public intoxication, disorderly conduct, serving alcohol to a minor, and littering laws.
2. All establishments serving alcohol within the DORA shall monitor their entrances/exits. No alcoholic beverage shall be permitted outside the establishment unless in a DORA-identified container.
3. The City of Circleville may, but shall have no obligation to, assign additional officers on a temporary or permanent basis.
4. The Police Chief, in the Chief's sole discretion when necessary to preserve the public health and safety, may declare the DORA suspended.

**D. Sanitation:**

1. Establishments with an alcohol license shall provide one large receptacle inside their front entrance and available to the passing public, which the establishment's staff shall empty as necessary. Participating establishments without an alcohol license shall monitor their own trash needs and provide additional receptacles as necessary.
2. All businesses within the DORA shall use their own staff to monitor the public sidewalk and other public areas around their business and remove DORA cups and otherwise keep the area clear of DORA cups.
3. The City of Circleville and Uptown Circleville do not anticipate the DORA will cause a significant increase in the trash produced, and therefore the City shall continue providing only its existing staff, without additional service times or personnel.
4. Uptown Circleville shall contact the City for trash problems caused by DORA cups, and to otherwise educate/communicate with business owners regarding their sanitation responsibilities.

**E. Public Safety – Fire/Ems**



1. Circleville Fire Department will continue to provide the existing Fire, Rescue and EMS services within the DORA, with the existing number of personnel, and without an increase in services or personnel.
2. For planned events in the DORA drawing large attendance and/or for which streets may be closed, the Fire Chief, at the Chief's sole discretion, may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response.
3. The Fire Chief, in the Chief's sole discretion when necessary to preserve the public health and safety, may declare the DORA suspended.

## **NATURE OF ESTABLISHMENTS**

In accordance with ORC 4301.82(B) (@) the nature and types of Establishments that will be located in the DORA are primarily Businesses in retail shops, food service, or in the service provider sectors.



EXHIBIT "C"

**QUALIFYING PERMIT HOLDERS**

In accordance with ORC 4301.82(b)(3), the DORA must encompass not fewer than 4 qualified permit holders  
 Circleville has identified (10) qualified permit holders that will be included in the DORA

BUSINESS NAME	DBA	Business Address	Permit Types	Permit Number
BPOE (Elks)	Elks	215 N. Court Street Circleville, Oh. 43113	D4	0898401-0077
EI Pedregal	SAME	129 W. Main Street Circleville, Oh. 43113	D4	6547759
FOE (Eagles)	Eagles	135 E. Main Street Circleville, Oh. 43113	D4	2794011-0685
Gants Pizza a Pub LLC	Gants Pizza & Pub	114 S. Court Street Circleville, Oh. 43113	D5	3033650
LML LTD	Gibbys	126 W. Main Street Circleville, Oh. 43113	D6 D5	4245027 5245027
TJG Tavern LLC	Main Street Pub	207 W. Main Street Circleville, Oh. 43113	D2 D3A D1 D3	8948160 8948160 8948160 8948160
Derby Pub LLC	Derby	209 W. Main Street Circleville, Oh. 43113	D5L D6	2038399 2038399
BPOE (Elks)	The Pour House	217 N. Court Street Circleville, Oh. 43113	D4	0898401-0077

## **Land use and zoning within the DORA**

In accordance with ORC 4301.82(B)(4) the uses of land within the DORA are zoned as DB (Downtown Business) **permitted uses** are (Section 23.02):

- A. Any use specified as a permitted use in Section 22.02 A through D, but not including uses with drive-through facilities.
- B. Hotels and Bed-and-Breakfast establishments.
- C. Community facilities such as governmental offices, post office, libraries, museums, private schools, public parks and similar uses.
- D. Churches and place of public assembly.
- E. Similar uses, which conform to the purpose of the Downtown Business District, as determined by the Board of Zoning Appeals.

### **Section 22.02**

- A. The downtown should contain a healthy mix of land uses. The market place-not regulations-should be the primary force driving the mix of downtown uses.
- B. The downtown should be particularly receptive to small local-based entrepreneurship and start-up businesses.
- C. Housing-and particularly owner- occupied housing should be an integral component of the physical fabric of areas adjacent to and around the downtown.
- D. The maintenance and improvement of the downtown physical environment is important in promoting an active and vital business environment.