



## **Application and Program Review**

## Introduction & Background

Section 4301.82 of the Ohio Revised Code permits municipalities and townships in Ohio to establish Designated Outdoor Refreshment Areas (DORAs). Within a DORA, the usual restrictions against carrying open containers of alcohol in public spaces are lifted during specified days and hours, allowing adults to possess and consume alcohol in designated public areas, subject to certain regulations.

To pursue the establishment of a DORA in the City of Toronto, an application (this document) must be submitted to Toronto City Council in accordance with statutory requirements. Following submission, a public notice must be published in a local newspaper of general circulation for two consecutive weeks. No sooner than 30 days, and no later than 60 days after the initial notice is published, the City Council may approve or deny the application through ordinance or resolution.

According to the most recent census, Toronto has a population of 5,190 residents. This makes the city eligible to establish up to three DORAs within its limits, each with a maximum size of 320 contiguous acres. Due to strong community interest with multiple successful events, enthusiastic support from downtown businesses, and the proven success of similar programs in other Ohio communities, the City Administration-through the Mayor-respectfully requests that Council consider the adoption of a DORA in Toronto's downtown.

## Timetable

Administration submits an application to City Council (this Document):

- The Application notification is published in the newspaper for two consecutive weeks, and the matter is set for a public hearing.
- Not earlier than 30, but not later than 60 days after the notice the Toronto City Council shall either approve or disapprove the application
- Approved legislation and the application is submitted to Ohio Department of Public Safety which will modify all the Qualified Permit Holders liquor license.

## Boundary Map of the Proposed DORA

In accordance with ORC 4301.82(B)(1)(b), the boundaries of the DORA and proposed sign locations are depicted in the attached map (Exhibit A). The Streets and addresses included in the DORA are as follows:

Street Name	Range	Even/Odd
Volmer	309	Even & Odd
Main St	104-501	Even & Odd
N 4 <sup>th</sup> St	101-399	Even and Odd
Clark St	251-500	Even & Odd
N 3 <sup>rd</sup> St	102-307	Even & Odd
Market St	301-415	Even & Odd
N 5 <sup>th</sup> St	112-217	Even & Odd

The proposed boundary is outlined in green and commences at the corner of Vollmer and John Geddis Lane and proceeds East to N 4<sup>th</sup> St. Proceeds South on N 4<sup>th</sup> St to Clark St, then East to N 3<sup>rd</sup> St. Proceeds South on N 3<sup>rd</sup> St until Main St. Proceeds West on Main St to North 5<sup>th</sup> St. Proceeds North on N 5<sup>th</sup> st to Market and proceeds East back to N 4<sup>th</sup> St. The interior of the area is included on N 4<sup>th</sup> St (North to South) from Clark St to Main St, and Market St. (West to East) from N 5<sup>th</sup> St to N 3<sup>rd</sup> St. The area includes all sidewalks.

## Types of Establishments

In accordance with ORC 4301.82(B)(2), the nature and type of establishments located within or adjacent to the Toronto DORA are primarily businesses in the retail, restaurant, entertainment and service category.

### Retail Establishment

Meraki Made Boutique- 218 N 4<sup>th</sup> St  
Colonial Florist- 207 N 4<sup>th</sup> St  
Dollar General- 407 Market St  
US Bank- 217 N 4<sup>th</sup> St  
Main Street Bank- 120 N 4<sup>th</sup> St  
Kinter Tanning and More- 216 N 4<sup>th</sup> St  
Don's Appliances- 302 N 4<sup>th</sup> St

### Service Establishment

Shear Concepts- 214 N 4<sup>th</sup> St  
Images Salon- 203 N 4<sup>th</sup> St  
EOSAA Gym- 209 N 4<sup>th</sup> St  
Nails by Jess- 114 N 4<sup>th</sup> St  
Howard Hannah Realty- 309 Market St  
Clarkes Funeral- 302 Main St  
Chris Arnott Insurance- 108 N 4<sup>th</sup> St  
Anderson-Campbell Insurance- 107 N 4<sup>th</sup> St  
EOSSA Fitness- 209 N 4<sup>th</sup> St

### Food and Drink Establishment

Tri B's Coffee Shop- 241 N 4<sup>th</sup> St  
Paul's Pizza on 4<sup>th</sup> - 224 N 4<sup>th</sup> St  
Baby Boyz BBQ- 206 N 4<sup>th</sup> St  
Kitch's Kitchen- 301 Market St  
Frogs Place- 406 Market St  
Fraternal Order of Eagles- 108-12 N 4<sup>th</sup> St  
American Legion- 415 Market St

### Qualified Permit Holder

Business Name	Address	Permit Type	Permit Number
Tri B's Coffee	241 N 4 <sup>th</sup> St	D5	9045480
Baby Boyz BBQ	206 N 4 <sup>th</sup> St	D5	52478690005
Fraternal Order of Eagles	108-12 N 4 <sup>th</sup> St	D4	27940111276
American Legion	415 Market St	D4	00903950086
Frogs Place	406 Market St	D5	7058260

## Signage

Toronto will install at least 20 signs establishing the Dora Boundary limits. The Map attached (exhibit A) notes the planned locations of the signs. Example of verbiage to be included on the sign is attached as Exhibit B. Signage as well as spray painted sidewalk markings will notify patrons of the boundaries.

If expanding the DORA area for a special event is requested by an event organizer and approved by City Council and, when applicable, when recommended by the Toronto City Council, Safety and Zoning Committee., the event organizer will be responsible for placing temporary DORA signage and trash receptacles at the DORA boundaries as approved by the Mayor and Safety Director.

## Zoning

In accordance with ORC 4301.82(B)(4), the land use within the proposed Toronto DORA are within the Business District. The establishment of the DORA is consistent with and will not conflict with current zoning.

## Safety Plan

In accordance with ORC § 4301.82 (B)(5) and (F)(1)(d), a Safety Plan has been developed to ensure public safety within the Toronto DORA. The City of Toronto Police and Fire Department will be responsible for providing public safety within the DORA through law enforcement and Fire/TEMS services. No additional staff is anticipated.

## Law Enforcement

The Toronto Police Department will be responsible for providing law enforcement services within the DORA. The Toronto Police Department is located immediately adjacent to the DORA boundary on Volmer and John Geddis Lane. Toronto officers will monitor the DORA area during routine patrols. The safety plan will be analyzed and adjusted as needed.

If there is an unusually high number of people in the DORA, a supervisor may deploy additional officers and/or designate an officer to focus specifically on patrolling the DORA. Foot patrols may also be considered as an alternative method of patrolling in the area. For planned events within the DORA that are expected to attract a larger crowd, the Chief of Police may assign extra officers and/or personnel from other agencies to the DORA.

## Fire/EMS

The Toronto Fire Department and TEMS will be responsible for providing Fire and TEMS within the DORA. The Fire and TEMS facilities are currently located just to the south of the DORA boundary on S 4<sup>th</sup> St. For planned events in the DORA that may draw larger than normal crowd, the Fire Chief may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response.

## *Sanitation Plan*

In accordance with ORC § 4301.82 (B)(5), (F)(1)(e), and (F)(1)(f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within Toronto's DORA.

There are currently 10 trash receptacles located throughout the DORA that are serviced on a weekly basis. Additional trash receptacles may be added within the DORA at the discretion of the City of Toronto's Service Director. Additional Trash receptacles may be added by any permit holder, and the servicing of such receptacles shall remain the responsibility of the installing entity. The Service Director of the City of Toronto has determined that the Sanitation Plan described herein is sufficient to help maintain the appearance and public health within the DORA without the need to hire any additional personnel.

## *Rules of Operation*

### **Hours of Operations**

In accordance with ORC § 4301.82 (F)(1)(c), the hours of operation for the DORA are between 12 p.m. to 10 p.m. Daily

City Council reserves the right by legislation to:

- Change DORA days, hours and/or boundaries at any time

Any legislation passed by City Council regarding boundaries shall be subject to:

1. Permission or recommendation by property owner
2. Following the Division of Liquor Control notification process

- Activate temporary DORA areas for requested events
- Temporarily suspend DORA operations in order to accommodate the permitting of special events that may occur within boundaries of the DORA

### **Official Toronto DORA Cup**

In accordance with ORC § 4301.82 (F)(1)(g), beer, wine, and intoxicating liquor shall only be consumed within the Toronto DORA as follows:

1. Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in a specifically designated plastic cup (the "Official Toronto Dora Cup"). No other container will be permitted to be utilized within the Toronto DORA. Used cups must be disposed of before entering any establishment of a qualified permit holder.
2. The sales and distribution of the Toronto DORA cup will be through an established vendor with the qualified permit holders having direct access thereto.

### **Additional Requirements**

In accordance with ORC § 4301.82 (B)(5), and in conjunction with other rules, standards and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the Toronto DORA are as follows:

1. A person may have in the his/her possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the Toronto DORA if the open container of beer, wine, or intoxicating liquor was purchased from a qualified and active participating permit holder to which all of the following apply:
  - a. The permit holder's premises are located within the Toronto DORA;
  - b. The permit held by the participating establishment has an outdoor refreshment area designation as outlined in the local legislation; and
  - c. The open container consists of an official Toronto DORA cup.
  
2. No person shall do any of the following:
  - a. Enter the premises of an establishment of another qualified permit holder or business with an "No DORA" designation within a Toronto DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere or at another participating establishment, or
  - b. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the Toronto DORA.

### *Review and Dissolution of a DORA*

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

The Mayor and/or Safety Director of the City of Toronto and the Chief of Police of the City of Toronto shall meet and review the Safety Plan as needed for any special events within the DORA or as other circumstances may require or arise.

The Mayor and/or Safety Director of the City of Toronto and the Chief of Police of the City of Toronto 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 Toronto.

The Toronto City Council in accordance with Ohio DORA requirements will review the operation of the DORA every five years as long as the DORA is in operation.

As part of the review, Council must adopt an ordinance or resolution either approving the DORA's continued operation or dissolving it. Prior to adopting the ordinance or resolution, Council must give notice of the proposed action by publication once a week for two consecutive weeks in a newspaper of general circulation in the Municipal Corporation.

Additionally, by ordinance or resolution at any time, the Toronto City Council may, dissolve all or part of the DORA. It must give notice of the proposed dissolution by publication once a week for two consecutive weeks in a newspaper of general circulation in the Municipal Corporation. Once a DORA or portion of it is dissolved, the area that is the subject of the ordinance or resolution no longer constitutes a DORA. The Municipal Corporation must provide notice of its actions to the Division of Liquor Control and the Investigative Unit of the Department of Public Safety. Upon receipt of the notice, the Division must revoke all DORA designations issued to establishments within the dissolved area.

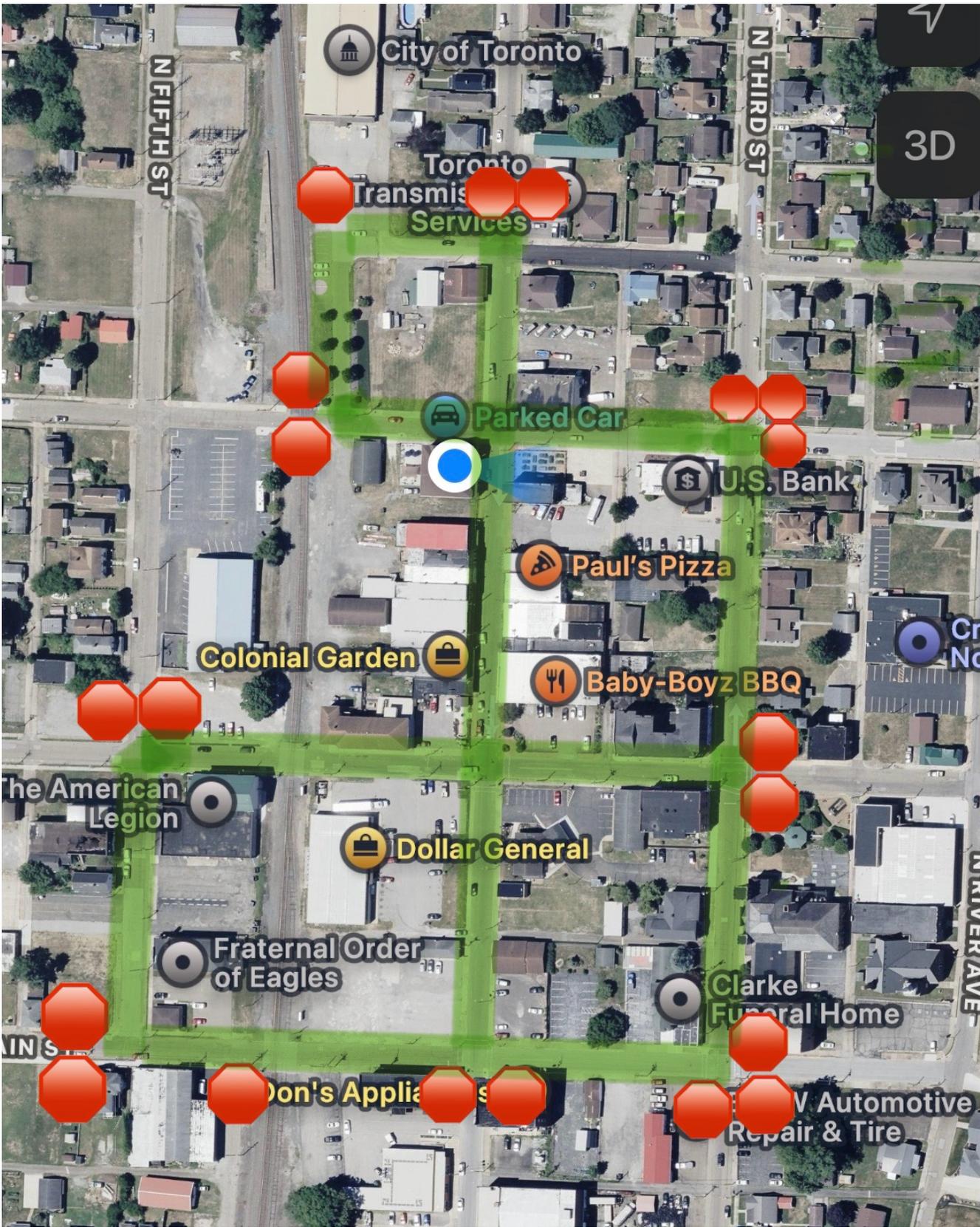


Exhibit A

 DORA Signage

**THE CITY OF TORONTO**

**DORA**

**DESIGNATED OUTDOOR REFRESHMENT AREA**

**DORA CUPS NOT  
PERMITTED BEYOND  
THIS POINT**

Exhibit B

