

**APPLICATION TO THE
CITY OF MARYSVILLE
CITY COUNCIL:
MARYSVILLE OUTDOOR REFRESHMENT AREA**

O.R.C. 4301.82



The Office of the City Manager of the City of Marysville, Ohio, respectfully submits the following application to the City of Marysville Council to approve and enact the Marysville Outdoor Refreshment Area, in accordance to O.R.C. 4301.82.

Terry Emery, City Manager

Table of Contents:

- A. Introduction and Submittal of Application
- B. Boundaries
- C. Nature of Establishments
- D. Qualified Permit Holders
- E. Land Use & Zoning
- F. Signage
- G. Sanitation Plan
- H. Public Health & Safety
- I. Hours of Operations & Qualifying Special Events

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A. Introduction and Submittal of Application

Section 4301.82 of the Ohio Revised Code authorizes municipalities under 35,000 in population to create Designated Outdoor Refreshment Areas or “DORA’s”. In order to consider creation of a DORA, the City Manager must file an application with the City of Marysville Council which meets certain statutory requirements. The application filing must be advertised once per week 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, City Council may approve or disapprove the application by ordinance or resolution.

At Council’s work session on May 7, 2018, the Administration presented to Council a proposed DORA for Uptown Marysville that includes Main Street from 4th Street to 7th Street and 5th Street from Court Street to Oak Street and that it could be brought before City Council for formal action.

Therefore, the City Manager is respectfully submitting, the following application to City Council for its consideration.

This application includes the following:

Section B - A boundary map of the DORA on Main Street from 4th Street to 7th Street and 5th Street from Court Street to Oak Street.

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Sections C & D - A comprehensive list of all first-floor businesses located in the proposed DORA district and a general description of their business and qualified permit holders.

Section E - A land use and zoning map of the proposed DORA district.

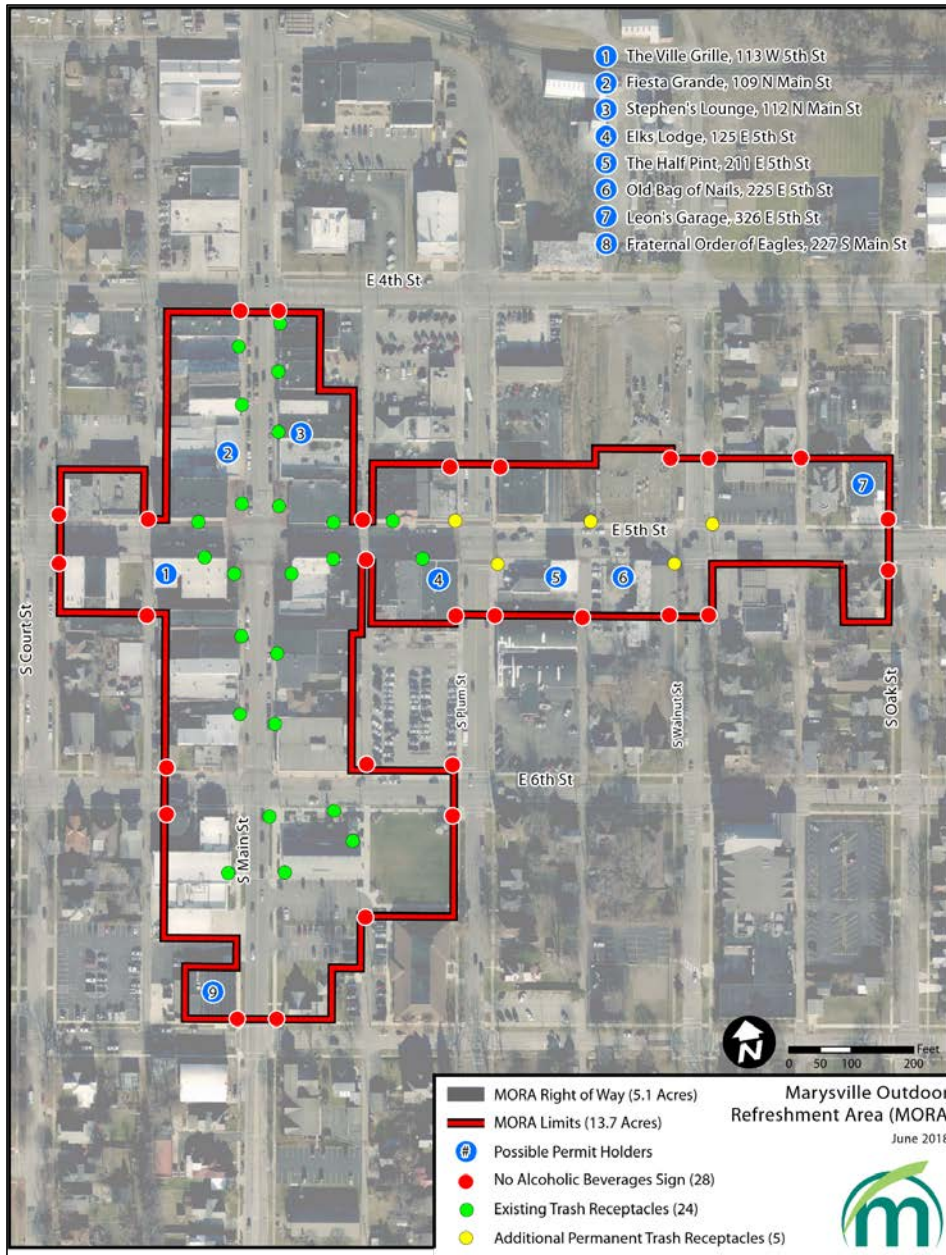
Section F - A preliminary design of the signs that will be placed at the DORA district boundaries during times the DORA is enacted.

Section G - A detailed sanitation plan.

Sections H - The public Health and Safety Plan that will be implemented in the DORA district.

Section I - A list of Special Events that have taken place in the proposed DORA district that are to be considered by City Council to determine if the DORA district will be permitted to be used by the host entities.

**B. Proposed Boundary (Map)
Designated Outdoor Refreshment Area**



**C. Nature of Establishments (Parcels & Businesses)
Designated Outdoor Refreshment Area**

Parcel #	Location	Deed Name	DBA	Use
NORTH MAIN STREET				
2900080690000	100 N MAIN ST	SCOTT STEPHEN	MINUTE MEN STAFFING, MISC OFFICE	SERVICE
2900080680000	101, 105 & 107 N MAIN ST	UNION BLOCK LTD	E-GREEN COMPUTERS, POLING BARBER SHOP, EDWARD JONES, POTTERS CARPET, PACKRAT COMICS	SERVICE/RETAIL
2900080700000	108 N MAIN ST	PAGE KAREN A	OFFICE CITY EXPRESS	RETAIL
2900080710000	110-112 N MAIN ST	EASTON CHARLES & GLOYD E AYERS	STEPHENS LOUNGE / MONARCH SPORTS	DINING/RETAIL
2900080660010	111-111 1/2 N MAIN ST	LAS CAMELINAS LLC	FIESTA GRANDE MEXICAN RESTAURANT	DINING
2900080650000	113-115 N MAIN ST	UNION ELECTRONICS LLC	MASTERWAY INSTITUTE/ UNION ELECTRONICS	SERVICE
2900080720000	114 N MAIN ST	RYLEE LTD	I-FORCE STAFFING SERVICE	SERVICE
2900080730000	116 N MAIN ST	RYLEE LTD	THE ROSE KETTLE CAFÉ	DINING
2900080640000	117 N MAIN ST	RYLEE LTD	FARMERS INSURANCE	SERVICE
2900080740000	118 N MAIN ST	BROYLES RONALD & CAROL	ONE STOP BRIDAL & PROM	RETAIL
2900080630000	119 N MAIN ST	BEERY PATRICIA A	PATTY BERRY'S SCHOOL OF DANCE	SERVICE
2900080750000	120 N MAIN ST	DUFF ACCOUNTING SERVICES LLC	DUFF ACCOUNTING SERVICES	SERVICE
2900080620000	121 N MAIN ST	BLESS LLC	VACANT	
2900080760000	122-124 N MAIN ST	PAGE JAMES & KAREN	MARYSVILLE FAMILY VISION	SERVICE
2900080610000	123 N MAIN ST & 121 1/2 N MAIN	JONES JAN JOAN	VACANT	
2900080600000	125 N MAIN ST	RYLEE LTD	CROOKED DOOR STUDIO	RETAIL
2900080770000	126 N MAIN ST	PAGE JAMES A	UNION COUNTY FOUNDATION	NON-PROFIT
2900080590000	129 N MAIN ST	LFH PROPERTIES & INVESTMENTS LLC	MARYSVILLE ENTREPRENEURIAL CENTER	NON-PROFIT
2900080790000	130 N MAIN ST	HATFIELD JEFFERY C & JANE A JT	HATFIELD CHIROPRACTIC CLINIC	SERVICE
2900080580000	131 N MAIN ST	UNION COUNTY ALCOHOL DRUG ADDIC	MENTAL HEALTH AND RECOVERY BOARD OF UNION COUNTY	NON-PROFIT
2900080800000	132 N MAIN ST	CITY OF MARYSVILLE	CITY OF MARYSVILLE	GOVERNMENT
SOUTH MAIN STREET				
2900090750000	100 S MAIN ST	RYLEE LTD	OUR TOWN STUDIOS	RETAIL
2900090280000	103 - 105 S MAIN ST	DIRUBBA DEVELOPMENT LLC	THE COPY SOURCE / STEWARDSHIP DRIVING SCHOOL	SERVICE/RETAIL
2900090730010	104-106 S MAIN ST	STILLINGS MICHAEL A	CREATIVE FOUNDATIONS	SERVICE
2900090700010	108 S MAIN ST	RYLEE LTD	WHITS FROZEN CUSTARD	DINING
2900090290000	109 S MAIN ST	RYLEE LTD	BOOST MOBILE	RETAIL
2900090690000	110 S MAIN ST	SCHULZE DENNIS A TRUSTEE & KAREN A SCHULZE	SCHULZE, HOWARD & COX LAW	SERVICE
2900090300000	111 S MAIN ST	RYLEE LTD AN OHIO LIMITED	IN-STEP DANCE CENTER	SERVICE
2900090680000	112 S MAIN ST	MCCARTHY PROPERTIES LLC	SHERWIN WILLIAMS	RETAIL
2900090310000	113 S MAIN ST	CBR 1013 LLC	CUSTOM STAFFING	SERVICE
2900090660010	116-120 S MAIN ST	RED DIAMOND RESTORATIONS, LLC	PULSE YOGA / STIFEL NICOLAUS	SERVICE
2900090320000	117 S MAIN ST	HAMMOND LINDA L	UPTOWN ANTIQUES	RETAIL
2900090330000	119 S MAIN ST	MCCLINCY BRADLEY E	SCOTTS COMPANY STORE	RETAIL
2900090340000	121 S MAIN ST	MARYSVILLE UPTOWN THEATRE LLC	MARYSVILLE UPTOWN THEATRE	RETAIL
2900090650000	122 S MAIN ST	122 PROPERTIES LLC	SALON 122	SERVICE
2900090350000	125-125 1/2 S MAIN ST	OLSEN DOUG & EMILY OLSEN	ROLLIES	DINING
2900090360000	127 S MAIN ST	LITHGO WILLIAM S & CARLA F	MARYSVILLE PRINTING	SERVICE
2900090630010	128 S MAIN ST	UNION COUNTY BOARD OF	UNION COUNTY OFFICE BUILDING	GOVERNMENT
2900090370000	133 S MAIN ST	DUKE JOSEPH L & GEORGIA T	DUKE INSURANCE	SERVICE
2900090440010	209 S MAIN ST	CITY OF MARYSVILLE (THE)	CITY OF MARYSVILLE - CITY HALL	GOVERNMENT
2900090610010	209 S MAIN ST	CITY OF MARYSVILLE (THE)	CITY OF MARYSVILLE - CITY HALL	GOVERNMENT
2900090580000	222 S MAIN ST	CITY OF MARYSVILLE	CITY OF MARYSVILLE - LOT	GOVERNMENT
2900090520000	227 S MAIN ST	FRATERNAL ORDER OF EAGLES MARY-	FRATERNAL ORDER OF EAGLES	NON-PROFIT
2900090570000	230 S MAIN ST	CHAMBERLAIN SARGENT V TRUSTEE	DESIGNS UNLIMITED	SERVICE

**C. Nature of Establishments Con't. (Parcels & Businesses)
Designated Outdoor Refreshment Area**

Parcel #	Location	Deed Name	DBA	Use
EAST FIFTH STREET				
2900090760000	109 E FIFTH ST	PAGE BRENDA D	UNION STATION 1820	RETAIL
2900090770010	111 E FIFTH ST	MCCARTHY PROPERTIES LLC	STUDIO FIVE PHOTOGRAPHY	SERVICE
2900080970000	116 E FIFTH ST	RYLEE LTD	PLUMM HOME	RETAIL
2900090790010	117-119 E FIFTH ST	ZORMAN PAGE CO AN OHIO	FIFTH STREET CAFÉ / MCKINLEY GRILL	DINING
2900080960000	118 E FIFTH ST	RYLEE LLC	THE BUCKEYE HOME SOURCE	SERVICE
2900080950000	120-122 E FIFTH ST	RED DIAMOND RESTORATIONS, LLC	MILLCREEK CYCLE / BAHAN LAW	SERVICE/RETAIL
2900090810010	121 E FIFTH ST	RYLEE LTD	THE RIBBON BOX	DINING
2900090830010	123 E FIFTH ST	GROUP SEVEN LLC	OPA MEDITERRANEAN STREET FOOD	DINING
2900090850010	125 E FIFTH ST	PROTECTIVE ORDER OF THE ELKS	MARYSVILLE ELKS LODGE NO 1130	NON-PROFIT
2900090870010	129 E FIFTH ST	MARYSVILLE LODGE NO 1130	MARYSVILLE ELKS LODGE NO 1130	NON-PROFIT
2900091010010	125 E SIXTH ST	CITY OF MARYSVILLE (THE)	CITY OF MARYSVILLE - PARTNERS PARK	GOVERNMENT
2900080920000	138 E FIFTH ST	DUKE JOSEPH & GEORGIA	WORTH REPEATING / GOODIES GALORE	RETAIL
2900091300000	203 E FIFTH ST	VOLLRATH DAVID A & JANE M	GATES BROTHERS GLASS	SERVICE
2900080980000	204 E FIFTH ST	BANCOHIO NATIONAL BANK	PNC BANK	SERVICE
2900091310010	211 E FIFTH ST	ROCKLIN PROPERTIES LLC	THE HALF PINT	DINING
2900110040000	225 E FIFTH ST	OBN MARYSVILLE LLC	THE OLD BAG OF NAILS	DINING
2900110050000	227 E FIFTH ST	UNION COUNTY CHAMBER OF	UNION COUNTY CHAMBER OF COMMERCE	NON-PROFIT
2900100190000	302 E FIFTH ST	YERKE PEGGY W	VACANT	
2900110290000	303 E FIFTH ST	RI CS4 LLC	VILLAGE PANTRY / MARATHON GAS	SERVICE/RETAIL
2900100200000	306-312 E FIFTH ST	YERKE PEGGY W	EAST OF CHICAGO PIZZA, CHINA WOK, SPRINT PCS	DINING/RETAIL
2900100430000	318 E FIFTH ST	DANIELS HOLDINGS 6	HINKLEY'S	DINING
2900100420000	326 E FIFTH ST	DANIELS GARAGE LLC	LEON'S GARAGE	DINING
2900110310010	327 E FIFTH ST	LAMBERT KEITH & JAYNE	LAMBERT JEWELERS	RETAIL
2900110030000	E FIFTH ST	OBN MARYSVILLE LLC	THE OLD BAG OF NAILS - PATIO	DINING
2900080980010	E FIFTH ST	CITY OF MARYSVILLE	CITY OF MARYSVILLE - TOWN RUN	GOVERNMENT
WEST FIFTH STREET				
2900090270000	113-115 W FIFTH ST	DIRUBBA DEVELOPMENT LLC	THE VILLE GRILLE	DINING
2900090260000	117 W FIFTH ST	VALLERTA LTD	VACANT	
2900080280000	120 W FIFTH ST	FIFTH THIRD BANK OF COLUMBUS	FIFTH THIRD BANK	SERVICE
2900090250000	121 W FIFTH ST	VALLARTA LTD	VACANT	
2900090240000	123 W FIFTH ST	COOK DAVID E	COOK REAL ESTATE	SERVICE
2900090230000	125 W FIFTH ST	COOK DEAN E	NATIONWIDE INSURANCE	SERVICE
2900090210010	127 W FIFTH ST	MCCARTHY & COX PROPERTIES LLC	MCCARTHY & COX RETIREMENT & ESTATE	SERVICE
2900080230010	W FIFTH ST	WILSON JEFFREY S TRUSTEE	WILSON & ASSOC. INSURANCE	SERVICE
WEST SIXTH STREET				
2900090380000	112 W SIXTH ST	MAXWELL CLINT ALAN	RESIDENTIAL	RESIDENTIAL
2900090430000	111 W SIXTH ST	HOLTSCHULTE JEFFERY M & PERRY R	HOLTSCHULTE, ATTORNEY AT LAW	SERVICE
OTHERS				
2900091250000	PLUM ST	VOLLRATH DAVID A & JANE M	GATES BROTHERS GLASS - LOT	SERVICE
2900100140000	WALNUT ST	RICHWOOD BANKING COMPANY THE	RICHWOOD BANK	SERVICE
2900100140010	WALNUT ST	CITY OF MARYSVILLE OHIO	CITY OF MARYSVILLE - TOWN RUN	GOVERNMENT

**D. Qualified Permit Holders
Designated Outdoor Refreshment Area**





In accordance with O.R.C. 4301.82 (B)(3), the DORA will encompass not fewer than four qualified permit holders. Marysville has identified nine (8) qualified permit holders that will be included in the area:

Parcel #	Location	Deed Name	DBA	Permit Type	Permit Number
2900080710000	110-112 N MAIN ST	EASTON CHARLES & GLOYD E AYERS	STEPHENS LOUNGE	D5 Issued 12/22/1989	542325
2900080660010	111-111 1/2 N MAIN ST	LAS CAMELINAS LLC FRATERNAL ORDER OF EAGLES	FIESTA GRANDE MEXICAN RESTAURANT	D1 / D2 / D3 / D6 Issued 12/6/2013	14141130001
2900090520000	227 S MAIN ST	MARYSVILLE FRATERNAL ORDER OF EAGLES	FRATERNAL ORDER OF EAGLES	D4 Issued 7/5/2001	5598708
2900090870010	125 - 129 E FIFTH ST	MARYSVILLE LODGE NO 1130	BPOE LODGE1130 MARYSVILLE	D4 Issued 4/11/1968	8984011130
2900091310010	211 E FIFTH ST	ROCKLIN PROPERTIES LLC	THE HALF PINT	D5 Issued 6/23/2016	9115243
2900110040000	225 E FIFTH ST	OBN MARYSVILLE LLC	THE OLD BAG OF NAILS	D5 / D6 Issued 12/31/2008	6528533
2900100420000	326 E FIFTH ST	DANIELS GARAGE LLC	LEON'S GARAGE	D1 / D2 / D3 Issued 7/29/2016	5133149
2900090270000	113-115 W FIFTH ST	DIRUBBA DEVELOPMENT LLC	THE VILLE GRILLE	D5 Issued 7/31/2017	4173750

E. Land Use & Zoning
Designated Outdoor Refreshment Area

In accordance with O.R.C. 4301.82 (B)(4), the uses of land within the DORA are zoned U-C (Uptown Commercial) and U-T (Uptown Transitional) and are in accord with Marysville’s Comprehensive Land Use Plan and Master Zoning Plan.

The types of establishments located within or adjacent to the DORA are primarily businesses in the retail, dining, or service sectors. There are also governmental and not-for-profit offices and two community parks.

-  U-C Uptown Commercial
-  U-T Uptown Transitional
-  U-SF Uptown Single Family Residential
-  B-1 Service Business District



F. Signage Plan
Designated Outdoor Refreshment Area

In accordance with O.R.C. 4301.82 (F)(1)(b), the number, spacing, and type of signage designating the area are:

The City will use its existing Special Events permitting process to determine the number, spacing, and type of signage for each event. While each event has its own needs and may vary, it is anticipated that approximately twenty-six (26) signs will be needed at various locations to mark the DORA boundaries.

Additionally, the signs will include language similar to:

Marysville Outdoor Refreshment Area
No Alcoholic Beverages Beyond This Point

Finally, the signs will be removable and will only be erected during the dates and times outlined in Section I.



G. Sanitation Plan
Designated Outdoor Refreshment Area

In accordance with O.R.C. 4301.82 (F)(1)(e) and 4301.82(F)(1)(f), the sanitation plan that will help maintain the appearance and public health of the areas within the DORA shall include:

There are currently twenty four (24) permanent trash receptacles located within the proposed outdoor refreshment area. The locations of the receptacles are shown on the map in section B.

The City proposes adding five (5) additional permanent trash receptacles within the outdoor refreshment area to fill gaps in coverage. These trash receptacles will be serviced by City personnel throughout scheduled events and immediately following events. The City will monitor the receptacles and the coordinated effort for collection.

Temporary trash receptacles will be placed at various locations throughout the outdoor refreshment area during special events depending on the size of the event and the attendance expected. The purchase, installation, maintenance and removal of temporary trash receptacles will be the responsibility of event organizers.

Additionally, each participating establishment will be required to provide and maintain adequate trash receptacles at the entryways of their businesses and/or patio areas during special events.

H. Public Health and Safety Plan Designated Outdoor Refreshment Area

In accordance with O.R.C. 4301.82 (F)(1)(d), the plan needed to ensure public health and safety within the DORA shall include:

In the event the City of Marysville should create a Designated Outdoor Refreshment Area (DORA), the Marysville Division of Police will be responsible for the public safety in the area. This will be accomplished in the following manner:

- A. Given the potential of high pedestrian and vehicular activity with the DORA during the times that it is in effect, directed staffing shall be applied to ensure public safety. Event organizers may be required to pay for special duty officers or overtime for public service if necessary to ensure adequate health and public safety requirements. The Chief of Police may assign additional officers to events occurring within the DORA or establish other staffing mandates based upon the activities that are expected to occur.
- B. The Chief of Police has express consent to temporarily suspend the DORA at any time for public safety purposes.
- C. The Union County Health Department and other community partners will provide periodic training to restaurants on issues such as preventing underage drinking and overconsumption.
- D. The City Manager shall appoint an ad-hoc committee comprised of City and Public Safety officials, businesses, and other stakeholders with the express purpose of meeting annually to review the DORA and to identify potential safety and sanitation issues.
- E. The City of Marysville requires that each special event receive a permit. As is the City's practice, each event will be reviewed by the City's Departments/Divisions. Permit requirements may differ between events depending on their size, layout, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established.
- F. 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 will be addressed, as part of the application for the special event permit.
- G. It is the City's intent that only wine and beer may be carried through a DORA quadrant.

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I. Qualifying Hours of Operation & Special Events

The City of Marysville requires that each special event receives a permit. As is the City's practice, each event will be reviewed by the City's Departments/Divisions. Permit requirements may differ between events depending on their 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 of portable restrooms, handicap accessibility, pedestrian mobility, public safety ingress and egress, crowd control, DORA boundary management, and trash management 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 and public safety requirements.

In accordance with O.R.C. 4301.82 (F)(1)(c), the dates and hours of operation for the area are:

Operational Hours: The hours of operation for the DORA are Monday through Saturday, 9:00 AM to 10:00 PM, and Sundays 12:00 to 10:00 PM, but may only be operated during special events.

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DORA Special Events may (*) include:

May	Friday Nights Uptown	6:00 – 10:00 PM
June	Friday Nights Uptown	6:00 – 10:00 PM
July	Friday Nights Uptown	6:00 – 10:00 PM
August	Friday Nights Uptown	6:00 – 10:00 PM
September	FestiFair	9:00 – 4:00 PM
September	Movie in the Park	7:00 – 9:00 PM
October	Friday Nights Uptown	6:00 – 10:00 PM
November	Uptown Christmas Walk	5:00 – 8:00 PM

** Inclusion as an eligible DORA event does not necessitate participation. Each host organization will have the opportunity to decide if the event will participate in the DORA process.*

The City Manager may consider and approve additional events on an on-going basis. Additional events will be subject to local requirements and regulations by the approved boundaries and hours of operation established in the DORA.

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