

RESOLUTION 2025- 057

A RESOLUTION CONDUCTING A FIVE-YEAR REVIEW OF THE DESIGNATED OUTDOOR REFRESHMENT AREA AND APPROVING CONTINUED OPERATION IN SPECIFIED PUBLIC AREAS OF DOWNTOWN KENT AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code ("ORC") Section 4301.82, the City of Kent established a Designated Outdoor Refreshment Area ("DORA") within specified public areas of downtown Kent, which City Council approved via Ordinance 2020-49; and

WHEREAS, ORC Section 4301.82(I)(1) requires that the legislative authority of a municipal corporation that has created a DORA conduct a review of the operation of the area not less than every five (5) years after its creation, by resolution, and either approve the continued operation of the area or dissolve it; and

WHEREAS, the City administration and this Council have reviewed the operation of the DORA over the past five (5) years, including input from the law enforcement, public safety officials, local businesses, and members of the public, and finds that the DORA has operated in a manner consistent with its intended purpose, has promoted economic development, and has enhanced the vibrancy of the downtown area; and

WHEREAS, the City has provided the necessary notice of its intent to approve the continued operation of the DORA as provided under ORC Section 4301.82(I)(1); and

WHEREAS, City Council desires to approve the continued operation of the DORA and affirm the existing regulations governing its use.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Kent, State of Ohio:

SECTION 1. That having reviewed the requirements of the DORA as established by Ordinance 2020-49, this Council approves the continued operation of a Downtown Designated Outdoor Refreshment comprised of the area depicted in Exhibit "A", attached hereto and made of part thereof.

SECTION 2. That the DORA approved herein shall be operated as set forth in the application attached to Ordinance 2020-49, or as it may be amended from time to time, with the approval of this Council.

SECTION 3. That this Council finds and determines that all public notice requirements of Revised Code 4301.82(I)(1) have been met prior to the passage of this Resolution.

SECTION 4. That the Clerk of Council is hereby authorized to forward a copy of this Resolution to both the Ohio Division of Liquor Control and to the Investigative Unit of the Ohio Department of Public Safety, all in accordance with Ohio Revised Code Section 4301.82.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason to clear the right of way for construction as soon as possible; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 7/16/25
Date

Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: 7/16/25
Date

ATTEST: Kathleen Coleman
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2025-057, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON July 16, 20 25.

(SEAL)

Kathleen Coleman
KATHLEEN COLEMAN
CLERK OF COUNCIL