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3rd Reading

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DORA

Passed

RESOLUTION NUMBER 2026- 1131

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

WHEREAS, the Village has created a designated outdoor refreshment area pursuant to the provisions of Ohio Revised Code §4301.82 ("DORA").

WHEREAS, Ohio Revised Code §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, this Council has 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 Village Council desires to approve the continued operation of the DORA and affirm the existing regulations governing its use.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BELLAIRE, COUNTY OF BELMONT, STATE OF OHIO:

SECTION 1: That having reviewed the requirements of the DORA as established and amended, this Council approves the continued operation of a Downtown Designated Outdoor Refreshment Area comprising the same location as originally approved.

SECTION 2: That the DORA approved herein shall be operated as set forth as currently authorized, 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 §4301.82.

SECTION 5: That 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, including section 121.22 of the Ohio Revised Code.

SECTION 6: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted at a regular meeting of the Council of the Village of Bellaire held this 21st day of May, 2026 by the 6 yea votes of its eligible members.

ATTESTED:

Ginny R. Favede, Fiscal Officer


Robert P. Dodrill, Sr., Mayor

Date: _____

Date: 5/21/26

CERTIFICATE OF POSTING

I, Barbara Sinner, Clerk of Council, do hereby certify that the foregoing Resolution was published by posting the same in five (5) public places within the Village of Bellaire, Ohio as provided by Ordinance No 1229, for a period of not less than fifteen (15) days, said Ordinance having been first posted on _____.

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class permit holder that receives a designation under this division shall do both of the following:

(1) Comply with all laws, rules, and regulations that govern its type of permit, and the applicable public health and safety requirements established for the outdoor refreshment area under division (F) of this section;

(2) Not block ingress or egress to the outdoor refreshment area or any other liquor permit premises located within the area.

(H) Section 4399.18 of the Revised Code applies to a liquor permit holder located within an outdoor refreshment area in the same manner as if the liquor permit holder were not located in an outdoor refreshment area.

(D)(1) Five years after the date of creation of an outdoor refreshment area, the legislative authority of the municipal corporation or township that created the area under this section shall review the operation of the area and shall, by ordinance or resolution, either approve the continued operation of the area or dissolve the area. Prior to adopting the ordinance or resolution, the legislative authority shall give notice of its proposed action by publication in one newspaper of general circulation in the municipal corporation or township or as provided in section 7.16 of the Revised Code.

If the legislative authority dissolves the outdoor refreshment area, the outdoor refreshment area ceases to exist. The legislative authority then shall provide notice of its action to the division of liquor control and the investigative unit of the department of public safety. Upon receipt of the notice, the division shall revoke all outdoor refreshment area designations issued to qualified permit holders within the dissolved area. If the legislative authority approves the continued operation of the outdoor refreshment area, the area continues in operation.

(2) Five years after the approval of the continued operation of an outdoor refreshment area under division (D)(1) of this section, the legislative authority shall conduct a review in the same manner as provided in division (D)(1) of this section. The legislative authority also shall conduct such a review five years after any subsequent approval of continued operation under division (D)(2) of this section.

ORC 4301.82