

RESOLUTION NO. 30-2011

Expressing Support and Encouragement for the Passage by the 129th Ohio General Assembly of Legislation to Change the Ohio Liquor Laws Related to Community Entertainment Districts to Allow for Additional Liquor Permits in Designated Zones for Purposes of Economic Development.

WHEREAS, liquor sales in the State are restricted through the use of permits issued under Ohio Revised Code (“ORC”) Chapter 4303, which requires that business establishments obtain permits to sell liquor for carryout as well as for on-premises consumption by consumers; and,

WHEREAS, a “D-5” permit specifically allows business establishments to conduct retail sales, by individual glass or in containers, for consumption on the premises of beer and intoxicating liquor or off-premises of beer, wine and mixed beverages; and,

WHEREAS, such “D-5” permits for retail food establishments, including restaurants or nightclubs, are available within each political jurisdiction on a quota basis, whereby municipalities are allocated 1 permit for each 2,000 population; and,

WHEREAS, the number of “D-5” permits allocated for the City of Worthington on the basis of population count is seven (7) and has been reached, with no additional permits readily available for eligible business establishments within the community; and,

WHEREAS, redevelopment efforts in the City of Worthington may, from time to time, involve the location of additional retail food establishments, including restaurants or nightclubs, that would make use of “D-5” permits were they available, with such redevelopment efforts driven by, or part of, the City’s larger economic development activities; and,

WHEREAS, in certain cases, ORC Chapter 4303 provides for increased allocations of “D-5” permits through the creation of one or more so-called Community Entertainment Districts, each comprised of a bounded area that includes entertainment, retail, social, cultural, or arts establishments in close proximity to restaurants and retail sales outlets, enclosed shopping centers and/or other entertainment facilities; and,

WHEREAS, the creation of Community Entertainment Districts under ORC Chapter 4303 currently is limited to municipalities with populations of at least 10,000 or 5,000, with the added requirement that investments be made for development in Districts of at least \$70 million or \$100 million, respectively; and,

WHEREAS, the City of Worthington is unlikely to see development projects of that scale in the near term and as such effectively is ineligible to create one or more of its own Community Entertainment Districts; and,

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WHEREAS, the Ohio General Assembly is actively considering proposed legislation to allow the creation of Community Entertainment Districts in municipalities that otherwise do not meet current eligibility criteria, so long municipalities have between 10,000 and 20,000 population, were incorporated prior to 1840, and are in the same county as another municipality that has created at least one such Community Entertainment District.

NOW THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the Council of the City of Worthington does hereby support and encourage the passage by the 129th Ohio General Assembly of proposed legislation to change ORC Chapter 4303 to allow for eligibility criteria that permits the creation of Community Entertainment Districts in the City of Worthington and like-situated municipalities.

SECTION 2. That the Clerk of Council be instructed to forward a duly certified copy of this Resolution to those elected members of the Ohio General Assembly which represent districts located in the City of Worthington and to record said Resolution in the appropriate record book.

Adopted November 14, 2001

[Signature on File]
President of Council

Attest:

[Signature on File]
Temporary Clerk of Council