



**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** February 8, 2022  
**Initiated By:** Jennifer D. Readler, Law Director  
Megan O'Callaghan, Deputy City Manager/Chief Finance and Development Officer  
Jennifer M. Rauch, AICP, Director of Planning  
**Re:** Request for Extension of the Use of Temporary Outdoor Dining Structure

## Summary

The following is a request for consideration of the extension of the use of a temporary outdoor dining patio and temporary structure.

## Background

The City Manager declared a State of Emergency on March 17, 2020 due to the pandemic, which allowed for the issuance of several Executive Orders, as outlined below. In anticipation of the expiration of the State of Emergency and the Executive Orders, City Council passed Resolution 34-21 on May 24, 2021 to extend the orders until October 31, 2021 to allow for continued support of our local businesses. These included:

1. An Executive Order amending Chapter 153 of the City Code to temporarily permit outdoor dining and eating areas beyond previously approved locations
2. An Executive Order amending Chapter 153 of the City Code to temporarily permit portable nonresidential structures
3. An Executive Order amending Chapter 153 of the City Code to temporarily permit window signs of a larger size than normally permitted
4. An expiration date of October 31, 2021 (Resolution attached)

On October 25, 2021, Resolution 61-21 was passed by City Council to allow an additional extension of the above measures until February 28, 2022. Regarding outdoor dining and eating areas, this Resolution required that a temporary permit holder apply for a permanent solution within thirty days of October 25, 2021 or confirm in writing that the temporary outdoor dining area would be removed by February 28, 2022 (memo, Resolution, and minutes attached). To date, all permit holders of previously existing temporary outdoor dining and temporary structures have complied with the deadlines set forth in the Resolution. One property owner is requesting City Council consider further extension of the February 28, 2022 removal deadline to allow for additional time to secure the necessary approvals and construct a permanent solution.

## Request

Tucci's Restaurant located at 35 N. High Street is one of the businesses that had the opportunity

to take advantage of the temporary structure provisions of Resolution 34-21, which included the construction of a temporary tent over an existing patio to provide additional seating throughout the pandemic. Following Council's deadlines for compliance, the owner has been diligently pursuing approval of a permanent structure through the Architectural Review Board (ARB) process. The ARB approved a Concept Plan for the proposed solution on November 17, 2021. The applicant made revisions based on the ARB's feedback and presented two design solutions to ARB on January 26, 2022 as part of an Informal Review. A combined Preliminary and Final Development Plan is anticipated at ARB's March 23, 2022 meeting to gain final approval of the permanent solution. To date, the applicant's requests have been favorably received by the ARB, and the ARB has provided specific feedback to ensure that next steps proceed smoothly and swiftly. Given the time needed to develop the final plans and submit for approval of the required application, Tucci's will not be able to meet the February 28, 2022 deadline and are requesting Council's consideration of an extension of the deadline. The applicant has provided a written request detailing the steps taken and requests to extend the allowance of the temporary structure until October 31, 2022 (see attached letter).

### **Recommendation**

Staff recommends City Council consider this request and direct staff as to whether legislation should be prepared to provide an extension, and the time frame for such an extension, if desired.



**Aaron L. Underhill**  
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February 2, 2022

Dublin City Council  
c/o Sarah Holt  
Senior Planner  
5200 Emerald Parkway  
Dublin, Ohio 43017

Dear Sarah:

This letter is being provided on behalf of CLB Restaurants, LLC, the owner/operator of Tucci's restaurant in Historic Dublin, and the company's owner, Craig Barnum. It is intended to provide members of City Council with an update on our pursuit of approvals from the City's Architectural Review Board (ARB) for the continuation of an enclosed outdoor dining structure that encompasses the Tucci's patio area. It also serves as a formal request for City Council to extend the deadline by which Tucci's is required to remove the presently existing structure.

Mr. Barnum would like to express his appreciation for the City's efforts to provide for the temporary addition of outdoor dining space during the COVID-19 pandemic. This allowance has been critical to the survival of the business. The additional dining space has become the preferred seating location for customers, and it has added a vibrancy to the area even on rainy or cold evenings. Despite the positive impact that this additional dining space has had on Tucci's, the more recent Omicron variant of the coronavirus has provided the latest obstacle to a return to normal dining habits, and therefore even with City Council's action last fall to extend the deadline for removal of temporary outdoor dining structures to the end of February 2022, the restaurant continues to face challenges.

As part of the extension of the deadline, Council required the businesses that benefitted from the extended timeframe to file relevant applications for permanent approval of temporary dining spaces within 30 days of City Council's action. Assuming that such applications were timely filed and approved by February 28, 2022, then any temporary structures could remain in place. Otherwise, they were to be removed by that date. This timing has proven to be problematic in the case of Tucci's, given the number and nature of the required approvals that are needed from the ARB. Approval of permanent improvements in the Historic District requires the review and approval of a Concept Plan, Preliminary Development Plan, and Final Development Plan, in sequence. Each requires a filing well in advance of a hearing before the ARB and following staff-level discussions. Further complicating matters are the fact that the ARB meets only once per month, and the City's general deadlines for filing materials well in advance of a meeting.

City Council passed the resolution for the time extension on October 25, 2021. A Concept Plan application was promptly filed on behalf of Tucci's and was heard at the ARB's meeting on November 17<sup>th</sup>. Options presented at that meeting included modifications to the existing structure to make it permanent and fit more closely to the required aesthetic in Historic Dublin, and the alternative of an enclosed pergola-like structure that would require removal of the temporary structure and replacement with an entirely new improvement. The ARB approved the Concept Plan and left open both possibilities. But given the complexity of the design issues that are involved, it was agreed that revised designs would be presented to the ARB informally to ensure that both parties would be satisfied with regard to a more particular aesthetic moving forward. This would avoid wasting time, effort, and money on more detailed designs that were not vetted by the ARB.

Even if Tucci's could have produced an updated design immediately following the November hearing it would have been past the deadline for filing an application to get on the next ARB agenda on December 15<sup>th</sup>. The application deadline for the January ARB meeting was just days before Christmas, and the City staff was nice enough to extend it until December 27<sup>th</sup>. A new submission was made for informal review with two options: More refined versions of the concepts for the new enclosed "pergola" structure and a modification of the temporary structure, taking into account comments received from the ARB at its November meeting. While both were well-received, the ARB provided guidance to the applicant to proceed with the pergola option, and Tucci's has agreed to pursue that path.

The next step is to file an application with the ARB for Preliminary Development Plan approval followed by a later application for Final Development Plan approval, or a combined application for both. But again, even if Tucci's had been ready to file an application quickly after the January meeting, it would not have been placed on the ARB's February agenda for review due to the City's deadlines and rules. In essence, the rules that are in place do not allow for an application to be heard until at least two months after the first is approved.

While significant progress has been made in the last several months, the clock has run out on Tucci's and, without an extension of the deadline to continue the operation of the existing outdoor patio enclosure, its continued ability to operate and remain economically viable is at serious risk. Given the good faith efforts that Tucci's has made to date, and taking into consideration the timing issues that are part of the City's review process, we would like to request that the City provide an extension of the deadline to remove its temporary structure.

The temporary structure required an investment of almost \$400,000. Mr. Barnum is willing to pursue the ARB's preferred design and ultimately demolish the structure and replace it with another that will cost even more. But in order to do so, it will involve careful design and engineering efforts that will take time to undertake. Given that once the demolition is complete the new structure is likely to take 4-5 months to construct, there will be a long period of time when Tucci's will lose the ability to serve customers on the patio. Plus, supply chain issues will impact the timing of new construction. To require the removal of the temporary structure at the end of this month will add a significant amount of time during which a large amount of Tucci's business will be lost, which will be devastating when combined with the losses that will accompany the construction period.

Therefore, Tucci's requests an extension of the deadline to remove its temporary structure until October 31, 2022. This will provide adequate time for design of the new structure, review by the ARB, and submittal to the City for issuance of relevant permits while enabling the restaurant to stay afloat financially until it takes a temporary economic hit during the new construction phase. With all of this being said, assuming the continuation of the supply chain issues that the national economy is experiencing, Tucci's may have the need to revisit this deadline should necessary materials for construction of the new structure are delayed. Mr. Barnum will make earnest and good faith efforts to get started on the installation of the permanent solution as soon as possible, but wants to be transparent that some elements of the process are outside of his control and may require the timing issue to be revisited later this year. City Council has his commitment to keep it apprised of this issue.

We appreciate City Council's consideration of this request to protect a valuable contributor to the vibrancy of Historic Dublin. Please consider placing a resolution on your next available agenda in February in order to facilitate the restaurant's continued progress towards a long-term solution.

Sincerely,



Aaron L. Underhill

# RECORD OF PROCEEDINGS

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## **INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS**

### **Resolution 59-21**

#### **Approving and Accepting the Preliminary Plat for the Replat of an Approximately 6.69-Acres Parcel Within the Dublin City Center Subdivision to Establish Two New Parcels Approximately 1.58-Acres and 5.11-Acres in Size Zoned BSD-SCN, Bridge Street District – Sawmill Center Neighborhood District Located Northeast of the Intersection of W. Dublin-Granville Road and Dublin Center Drive**

Ms. Alutto introduced the Resolution.

Ms. Martin stated that this is a request, as recommended for approval by the Planning and Zoning Commission, to accept revisions to the Dublin City Center plat to establish two new parcels in order to facilitate future development in the Bridge Street District (BSD). The 6.69-acre site is presently developed with a two-story, 30,000-square-foot office building with drive-thru bank. The parcel, located at 3800 W. Dublin-Granville Road, was originally platted in 1988 as a portion of the Dublin City Center plat (Reserve A); platting approximately 44.16-acres of land between Sawmill Road and David Road, north of W. Dublin-Granville Road. The Preliminary Plat establishes two new lots (Lots 1 and 2) and utility easements as well as an ingress/egress easement. Staff recommended approval.

There was no public comment.

Vote on the Resolution: Ms. Fox, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mr. Reiner, yes; Ms. Alutto, yes; Mr. Peterson, yes; Mayor Amorose Groomes, yes.

### **Resolution 60-21**

#### **Approving and Accepting the Final Plat for the Replat of an Approximately 6.69-Acres Parcel Within the Dublin City Center Subdivision to Establish Two New Parcels Approximately 1.58-Acres and 5.11-Acres in Size Zoned BSD-SCN, Bridge Street District – Sawmill Center Neighborhood District Located Northeast of the Intersection of W. Dublin-Granville Road and Dublin Center Drive**

Ms. Alutto introduced the Resolution.

Ms. Martin stated that this is the final plat for the 6.69 acre parcel in accordance with the preliminary plat. Additionally, a new cross-access easement is provided along a portion of the property line between Lots 1 and 2. The plat provides the flexibility for the City and the property owner to modify or remove cross-access easements as depicted on the plat to accommodate future development. The Planning and Zoning Commission recommended acceptance to Council.

There was no public comment.

Mayor Amorose Groomes asked what the setback will be. Ms. Martin stated that the setbacks are determined by the Zoning District. This is zoned the Sawmill Center Neighborhood District within the Bridge Street District so the potential future development would have to identify a building type and then there would be a required build zone in lieu of a setback. Mayor Amorose Groomes was questioning the experience for the passerby since this lot was so small next to a building so large. Ms. Martin stated that this final plat is intended for future development both known or unknown. Mayor Amorose Groomes stated that this will be interesting from a streetscape perspective.

Vote on the Resolution: Mr. Peterson, yes; Ms. Fox, yes; Mr. Keeler, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes.

### **Resolution 61-21**

#### **Extending the Timelines in Resolution 34-21 Temporarily Permitting Outdoor Dining and Eating Areas Beyond Previously Approved Locations, Temporarily Permitting Portable Nonresidential Structures and Temporarily Permitting Certain Signs**

Ms. Alutto introduced the Resolution.

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Ms. O'Callaghan stated that the City Manager declared a State of Emergency on March 17, 2020. Pursuant to his emergency authority, the City Manager also issued Executive Orders which included:

1. An Executive Order amending Chapter 153 of the City Code to temporarily permit outdoor dining and eating areas beyond previously approved locations
2. An Executive Order amending Chapter 153 of the City Code to temporarily permit portable nonresidential structures
3. An Executive Order amending Chapter 153 of the City Code to temporarily permit window signs greater than 10% of the square footage of all windows and to permit temporary signs in front of business establishments.

City Council passed Resolution 34-21 on May 24, 2021, to allow the Temporary Extension of certain Executive Orders to continue in support of our local businesses. That temporary extension is set to expire on October 31, 2021.

While there is significant recovery taking place throughout the industry, some of the same conditions still exist today as they did when Council passed Resolution 34-21. Based on these factors, staff recommended Council consider continuing these orders and associated temporary permits through the winter months until February 28, 2022. Currently, the City has issued 19 temporary outdoor patio permits, 10 of which are still being utilized. Three portable nonresidential structures were approved, two of which are still in use. All current permit holders have been notified this matter will be considered at this meeting. With regard to outdoor dining and eating areas specifically, Resolution 61-21 also includes a condition that any Certificate of Zoning Plan Approval (CZPA) holder must file the appropriate application for a permanent solution within 30 days of the effective date of this resolution or confirm in writing the intent to remove the temporary outdoor dining and eating area no later than February 28, 2022. If the owner/operator fails to comply with this condition, their CZPA will be revoked. The intent of this condition is to assist those who intend to file an application through the process for a more permanent solution. The intent is also to assist CZPA holders with ensuring the structures are removed. Staff recommended approval of this resolution.

There was no public comment.

Mr. Reiner stated that if the owner intends to build a more permanent structure, the City would work with them on a deadline, is that correct? He sought clarification regarding a deadline for construction versus the deadline for intent to construct something. Ms. O'Callaghan stated that the permit would expire by the deadline in February, 2022. The goal is that the business owners would begin working with the City on filing the appropriate applications as soon as possible. Mr. Reiner stated his concern of these businesses taking a hit in revenue due to this process. He is concerned that the conversion costs could be difficult. He stated it is important that the City work with these businesses.

Ms. Fox asked how many permit holders are in the Historic District. Ms. O'Callaghan stated that Tucci's and Coast Wine House are the only two in the Historic District. She stated her concern that the dates are too close and suggested a deadline of June 1, 2022. She stated the businesses may not know what the economic environment will be over the winter months. She would like to give them more time over the winter to evaluate their business position. She recommended extending the date.

Mr. McDaniel stated that half of the list will be a non-issue. Many of the businesses in Bridge Park are not looking for anything permanent. He explained how Tucci's can navigate this process. Ms. Fox reiterated that she believes they should have more time. Mr. Reiner agreed with Ms. Fox that it wasn't enough time for the businesses in the Historic District because of the ARB review process.

Vice Mayor De Rosa clarified that they have to file an application showing their intent in the 30 days. She stated that it seems like a good approach.

Mayor Amorose Groomes stated that construction drawings would not have to be complete, they are just stating their intent via filing an appropriate application. Ms. O'Callaghan stated that the goal is to get the owners to initiate the process and begin working through the solution, not to have the process complete within 30 days.

Mr. Reiner stated that construction season is May, June and July, so businesses would not be able to construct something permanent in February in Ohio.

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Ms. Fox asked for clarification regarding the application for a permanent solution. She stated she is not opposed to deadlines, she wants to make sure the timing is realistic and does not impose a hardship on the businesses. Ms. O'Callaghan stated that the way the Resolution is written, the permit holder is required to actively engage in the appropriate process and file any necessary application for a permanent outdoor dining and eating area within 30 days. In response to Mr. Reiner's question regarding construction drawings, Ms. Rauch stated that a concept plan would be the first step to get feedback before going through with construction drawings. Mr. Keeler asked if a concept plan could be developed within 30 days. Ms. Rauch stated that a concept drawing is definitely doable within 30 days. Mr. McDaniel stated that this Resolution is not a surprise to these affected business owners. Staff has been in contact with them and they are aware that this is happening. Mr. McDaniel stated that he has been encouraging these business owners to get prepared for this for more than a year. He stated that the two that may want to do something permanent have known about this for more than a year. Ms. O'Callaghan stated that one of the business owners has already reached out for a meeting with staff to begin the process.

Ms. Fox stated that she still feels the timing is too short. She understands the awareness is there, but it still feels burdensome.

Mr. Keeler stated that he is not sure how someone could be prepared in 30 days. He stated that 30 days is short. February 22 is a bad time to discuss construction. Mr. Reiner stated that construction costs are astronomical.

Vice Mayor De Rosa stated that she wanted to clarify that if Council were not having this discussion, then the temporary structures would have to be removed by Sunday, October 31. She stated that this is a necessary conversation and it seems that the business owners are already engaging with staff.

Vote on the Resoluton: Ms. Alutto, yes; Mr. Keeler, yes; Vice Mayor De Rosa, yes; Ms. Fox, no; Mr. Peterson, yes; Mr. Reiner, no; Mayor Amorose Groomes, yes.

## **OTHER BUSINESS**

### **• Proclamation/Recognition Policy**

Ms. Delgado stated that Council reviewed and discussed the draft proclamation and recognition policy at their retreat in September. The Administrative Committee then reviewed the document after Council's referral of the topic. The suggested revisions from those discussions have been incorporated into the draft policy. Staff recommended that Council adopt the policy.

Ms. Fox stated that she wanted to see "students" included in the criteria for a proclamation and she wanted to remove the word "owners" from the criteria for a Certificate of Recognition/Appreciation. Ms. Fox stated that it may be helpful to have an example of what you might recognize a resident for.

Mayor Amorose Groomes moved to adopt the Proclamation/Recognition Policy as discussed.

Ms. Alutto seconded.

Vote on the motion: Mayor Amorose Groomes, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Ms. Alutto, yes; Ms. Fox, yes; Mr. Peterson, yes; Mr. Keeler, yes.

### **• Connected Dublin/Fiber to the Home**

Mr. McCollough stated that a scope of work was included in Council's packet for Phase 1B of the project. Entropy has committed to a System Architecture, Data Center Selection, Fiber Mapping, Business Model identification and recommendations, and financial partner engagement, among other deliverables. This scope can be completed at a cost of \$50,000 through an extension of the existing Entropy contract.

Mayor Amorose Groomes expressed appreciation for the report.

Vice Mayor De Rosa asked about the statement in the report that Dublin would be the first open access based broadband delivery in the state or country. Mr. McCollough stated that there is a lot of work being done nationally and there is a fuzziness around open access. Vice Mayor De Rosa appreciated the report. Mr. McCollough stated that work is being done that will make Dublin unique as we move toward the goal of being

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** October 19, 2021  
**Initiated By:** Jennifer D. Readler, Law Director  
Megan O'Callaghan, Deputy City Manager/Chief Finance and Development Officer  
**Re:** Resolution 61-21 Temporary Extension of Certain Executive Orders

## Background

The City Manager declared a State of Emergency on March 17, 2020. Dublin's State of Emergency was in alignment with the Governor's State of Emergency. Pursuant to his emergency authority, the City Manager also issued Executive Orders temporarily permitting outdoor dining and eating areas beyond previously approved locations, temporarily permitting portable nonresidential structures and temporarily permitting certain signs in support of our local economy and businesses. Since it was unclear when the Governor's State of Emergency would officially end, City staff encouraged Council to consider action to ensure continuity. Anticipating the need to focus on economic recovery, City Council passed Resolution 34-21 on May 24, 2021, to allow the Temporary Extension of certain Executive Orders to continue in support of our local businesses.

Resolution 34-21 included:

1. An Executive Order amending Chapter 153 of the City Code to temporarily permit outdoor dining and eating areas beyond previously approved locations
2. An Executive Order amending Chapter 153 of the City Code to temporarily permit portable nonresidential structures
3. An Executive Order amending Chapter 153 of the City Code to temporarily permit window signs greater than 10% of the square footage of all windows and to permit temporary signs in front of business establishments

Resolution 34-21 is set to expire on October 31, 2021.

The National Restaurant Association recently released their mid-year report and it shows a significant recovery is taking place throughout the industry, despite the lingering global pandemic. While much of that recovery can be attributed to the growing vaccination rate, municipalities modifying existing policies on a temporary basis to support local businesses has also contributed to the positive impact. Though the positive trajectory of the industry is certainly worth acknowledging, the projection remains down from pre-COVID sales. Given Franklin County remains a high transmission area, it is important that we continue efforts to support the local businesses and encourage healthy practices, such as social distancing. Based on these factors, staff recommends Council consider continuing these orders and associated temporary permits through the winter months until February 28, 2022.

Currently, the City has issued 19 temporary outdoor patio permits, 10 of which are still being

utilized. Three portable nonresidential structures were approved, two of which are still in use. All current permit holders have been notified this matter will be considered at the October 25, 2021 Council meeting.

With regard to outdoor dining and eating areas specifically, Resolution 61-21 also includes a condition that any Certificate of Zoning Plan Approval (CZPA) holder must file the appropriate application for a permanent solution within 30 days of the effective date of this resolution or confirm in writing the intent to remove the temporary outdoor dining and eating area no later than February 28, 2022. If the owner/operator fails to comply with this condition, their CZPA will be revoked. The City is committed to finding long-term solutions that meet business operation needs and encourage economic vitality in the City.

### **Recommendation**

Staff recommends approval of Resolution 61-21, temporarily permitting outdoor dining and eating areas beyond previously approved locations, temporarily permitting portable nonresidential structures and temporarily permitting certain signs.

# RECORD OF RESOLUTIONS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30045

Resolution No. **61-21**

Passed \_\_\_\_\_, 20\_\_\_\_

## **A RESOLUTION EXTENDING THE TIMELINES IN RESOLUTION 34-21 TEMPORARILY PERMITTING OUTDOOR DINING AND EATING AREAS BEYOND PREVIOUSLY APPROVED LOCATIONS, TEMPORARILY PERMITTING PORTABLE NONRESIDENTIAL STRUCTURES AND TEMPORARILY PERMITTING CERTAIN SIGNS**

**WHEREAS**, on March 17, 2020, due to the COVID-19 pandemic, a State of Emergency was declared in the City of Dublin pursuant to the powers vested in the City Manager under Chapter 36 of the Dublin Codified Ordinances and Revised Charter; and

**WHEREAS**, pursuant to his emergency authority, the City Manager issued executive orders permitting outdoor dining and eating areas beyond previously approved locations and permitting portable nonresidential structures; and

**WHEREAS**, on June 2, 2021, Governor DeWine and the Ohio Department of Health lifted most of the health orders necessitated by the state of emergency caused by COVID-19 in the State of Ohio; and

**WHEREAS**, the City Manager ended the citywide state of emergency on June 19, 2021; and

**WHEREAS**, in anticipation of the end of the state of emergency, City Council passed Resolution 34-21 which ensured that the effect of these executive orders was extended until October 31, 2021; and

**WHEREAS**, due to the increase in the Delta variant, temporary testing sites have been reopened and the need for social distancing in restaurant establishments continues; and

**WHEREAS**, Council believes it is in the best interest of the City to extend the timeline set forth in Resolution 34-21 past October 31, 2021 and add further requirements in the event a more permanent solution is desired.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_ of its elected members concurring, that:

**Section 1.** Outdoor Dining and Eating Areas. The enforcement of certain provisions of Chapter 153 regarding the City's Outdoor Dining and Seating regulations are temporarily amended as follows:

1. A business may temporarily expand their outdoor dining and eating area outside of the currently designated/approved location to allow for increased social distancing related to COVID-19. This will be permitted with the following stipulations:
  - The expansion will be permitted in conjunction with an existing and permitted restaurant use;
  - A Certificate of Zoning Plan Approval will be required at no cost;
  - Relief from specific zoning site requirements, design details, and parking requirements will be applied on a case-by-case basis.
  - Outdoor speakers and music will not be permitted in the expanded areas.

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30045

Resolution No. 61-21

Passed Page 2, 20    

- Outdoor dining and seating area materials should complement the existing materials.
  - Expanded areas will be located to be sensitive to and take into consideration surrounding properties, including residential areas.
  - Alcohol may only be served in the expanded area when permitted by the Ohio Division of Liquor Control.
  - Staff will review the request for the expansion in conjunction with the direction and guidance of FCPH.
2. A Certificate of Zoning Plan Approval shall be required in order to permit Outdoor Dining and Seating expansion. The following information will be required to be submitted with the CZPA form at no charge:
- Detailed, dimensioned site plan showing the location on the site with adherence to ensuring safe access and be served by adequate parking;
  - Sensitively located and to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
  - Design specifications associated with the proposed outdoor dining and seating expansion shall be provided: chairs and tables, umbrellas, etc.
  - Detailed narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19;
  - Signed acknowledgment that the time period of validity is limited to February 28, 2022.

**Section 2. Portable Nonresidential Structures.** The enforcement of certain provisions of Chapter 153 regarding the City's Portable Structures and Temporary Uses are temporarily amended as below:

1. Section 153.097(B)(3) – Portable Nonresidential Structures. A business may temporarily erect a building(s) or similar structure(s) designed for occupation which is not placed on a permanent foundation to allow for testing, waiting or staging related to COVID-19. The definition shall include construction trailers, portable classrooms, tents, trailers and other similar structures.
2. Section 153.097(C) – Permit process. A Certificate of Zoning Plan Approval shall be required to permit these designated portable structures and temporary uses. The following information will be required to be submitted with the CZPA form at no charge:
  - Detailed, dimensioned site plan showing location on the site with consideration of the required setbacks and ensuring safe access and be served by adequate parking;
  - Sensitively located to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
  - Detailed and dimensioned elevations or design specifications of the proposed temporary structure;

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- Detailed in a narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19.

**Section 3. Temporary Signs.** The enforcement of certain provisions of Chapter 153 regarding the City's Sign Code are temporarily amended as follows:

1. Section 153.159(c) – Window Signs: A business may temporarily erect window signs greater than ten percent (10%) of the square footage of all windows for that business. Any increase shall not hinder the ability to view into the business for safety purposes. An application and permit are not required for this increase.
2. Temporary Signs, Banners & Sandwich Boards – a business may erect one (1) temporary sign, banner, or sandwich board on or in front of its establishment. This sign shall not exceed six (6) square feet in area. There will be no application or fee for this temporary sign. This temporary sign must comply with all Building Code Standards and with the Americans with Disabilities Act (ADA).

**Section 4.** The intent of this Resolution is to support local businesses during this difficult economic time. These temporary amendments will immediately cease on February 28, 2022, at which time the expanded outdoor dining and seating and portable nonresidential structures will be required to be removed and the site restored and all temporary signs removed.

**Section 5.** With regard to outdoor dining and eating areas specifically, a condition to any further extension of a CZPA under this Resolution will require the owner/operator to either (1) actively engage in the appropriate process and file any necessary application for a permanent outdoor dining and eating area within 30 days of the effective date of this Resolution; or (2) confirm in writing the intent to remove the temporary outdoor dining and eating area no later than February 28, 2022. If the owner/operator fails to comply with this condition within 30 days of the effective date of this Resolution, the CZPA will be revoked.

**Section 6.** This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

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BARRETT BROTHERS - DAYTON, OHIO

Form 8101

Held

May 24, 2021

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budget time. She is confident that a design could be created and finalized that pleased ARB. She is confident that it would benefit the business community.

Mr. Keeler agreed that the pavilion would be a nice addition. He agrees that it should be revisited later for consideration.

Vice Mayor De Rosa stated that it is a lovely design. It is unfortunate that the price increase is impacting this in this way. She is supportive of looking at constructing the pavilion at a future point.

Vote on the Resolution: Ms. Fox, yes; Vice Mayor De Rosa, yes; Mr. Peterson, yes; Mr. Reiner, yes; Mr. Keeler, yes; Ms. Alutto, yes. [Mayor Amorose Groomes abstained].

### **Resolution 33-21**

#### **Authorizing the City Manager to Enter into a First Amendment of the Lease Agreement Between the City of Dublin and the Dublin Chamber of Commerce.**

Ms. Alutto introduced the Resolution.

Ms. O'Callaghan reiterated the improvements that have been agreed upon. She shared ARB's concerns about the pavilion. Based upon that feedback and the construction costs, the Chamber and the City agree the pavilion is not feasible to construct at this time. Staff and the Chamber have agreed to amend the Lease removing the Pavilion from the list of improvements. Should Council approve this Resolution, the City will no longer be responsible for the Pavillion and Dublin will use the funding for construction of the Pavilion to go towards offsetting Dublin's portion of the cost overruns for the phase one improvements to the building. The balance of the Lease remains unchanged. She thanked the Chamber for being a great partner in this process.

Ms. Weinsenauer stated that no comments have been received regarding this item.

Vote on the Resolution: Mr. Peterson, yes; Ms. Alutto, yes; Mr. Keeler, yes; Ms. Fox, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes. [Mayor Amorose Groomes abstained].

### **Resolution 34-21**

#### **Temporarily Permitting Outdoor Dining and Eating Areas Beyond Previously Approved Locations, Temporarily Permitting Portable Nonresidential Structures and Temporarily Permitting Certain Signs.**

Ms. Alutto introduced the Resolution.

Mr. McDaniel stated that during this State of Emergency, he, as City Manager issued temporary orders that remain in effect to include:

1. An Executive Order amending Chapter 153 of the City Code to temporarily permit outdoor dining and eating areas beyond previously approved locations.
2. An Executive Order amending Chapter 153 of the City Code to temporarily permit portable nonresidential structures.
3. An Executive Order amending Chapter 153 of the City Code to temporarily permit window signs greater than 10% of the square footage of all windows and to permit temporary signs in front of business establishments.

Once the City Manager lifts the State of Emergency, these temporary orders and permits will no longer be in effect and staff will need to enforce our code. Mr. McDaniel stated his intention to keep the Dublin State of Emergency in place as long as the Governor's State of Emergency is in place. Since it is not clear when the Governor's State of Emergency will terminate (only health orders expire on June 2), staff recommended Council consider action to ensure continuity. Mr. McDaniel stated his belief that it will take a period of time for the community and those businesses issued temporary permits to transition back to normal. Staff recommended Council consider some leeway for these temporary permits so that those businesses who suffered significantly, namely restaurants and small businesses, try to maintain and/or gain momentum coming out of the pandemic.

# RECORD OF PROCEEDINGS

Held

May 24, 2021

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Mr. McDaniel thanked Mr. Tim Rollins, NAPA Kitchen and Bar, for his cooperation in mitigating noise concerns of the residents. Mr. McDaniel thanked the residents in proximity to NAPA for their patience and understanding. They have been willing to work together to mitigate noise concerns and he is appreciative of their efforts.

Ms. Weinsenauer stated that no comments have been received regarding this item.

Mr. Keeler stated that he would like to see some areas of Bridge Park shut down permanently, raise the road bed up and make it a walkable area.

Mr. Reiner agreed that it is important to have the area be walkable.

Ms. Fox stated that the pandemic has shown us how fun sidewalk dining can be. Ms. Fox asked if the Code should reflect more options for outdoor dining. She stated that discussion should be held regarding our streetscape and how we create more of these outdoor placemaking amenities.

Vice Mayor De Rosa agreed that there are a lot of opportunities. She stated that, regarding the NAPA noise situation, she has heard from residents who live in that area. These residents did not opt-in to this situation as the homes were there before the business was there. She expressed her appreciation to Mr. McDaniel for continuing to work on mitigating the issues. If concerns are not remedied, then this may be a situation where this business may be treated differently and the City not allow the outdoor dining to continue.

Mr. McDaniel stated that he remains committed to finding a solution.

In response to Ms. Fox's question regarding the type of noise, Mr. McDaniel stated that it is voices that are loud. There has not been live music.

Mayor Amorose Groomes stated that she agrees with Mr. Keeler and Ms. Fox's comments and would like to see Planning and Zoning review what was originally contemplated in the Bridge Park area. Significantly wider sidewalks would provide for al fresco dining as well as a walkable area.

Vote on the Resolution: Mr. Reiner, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Ms. Fox, yes; Mr. Keeler, yes.

## OTHER

- Designated Outdoor Refreshment Area (DORA) extension of hours request

Ms. LeRoy stated that the City will be having Dublin Irish Days presented by the Dublin Irish Festival instead of the traditional festival this year. As part of the Dublin Irish Days, many activities will be moved to downtown Dublin. This is the first request to extend the DORA beyond the normal operating hours. In order to implement this extension, it is within Council authority to approve and no other action is required. Staff will work closely with the Police and maintenance staff to ensure that safety and cleanliness are enforced throughout the weekend.

Ms. Weisenauer stated that no comments were received regarding this item.

Ms. Fox asked if there were any documented complaints over the weekend for the first DORA. Ms. Weisenauer stated that the majority of comments received were positive.

Vice Mayor De Rosa asked when the City events end on the Saturday. Ms. LeRoy stated that staff has been working with the bars and restaurants to stop serving at appropriate times prior to the cut off. She also stated that some bars will have bands that will go until midnight, but most of the vendors will leave before that time. She stated they are exploring doing Irish movies after dark also.

Vice Mayor De Rosa asked if 1:00 p.m. would be a more reasonable time to start serving alcohol on Sunday. The vendors will be starting at noon.

Mayor Amorose Groomes stated she is supportive of a 1:00 p.m. start time.

Mr. Keeler stated that, he too, is supportive of a 1:00 p.m. start time. He asked about the metrics that will be used to determine the success or failure of the DORA when Council evaluates. He stated Council needs to decide what is an acceptable increase from past years. Ms. LeRoy stated that an update will be coming on DORA in July.

Ms. Fox stated that litter should also be considered when looking at the success.

Ms. Fox stated that the 1:00 p.m. time is a better start time.

Ms. Alutto stated that Friday evening she was in the area for dinner and she didn't witness any problems with the DORA.



**Office of the City Manager**  
5555 Perimeter Drive • Dublin, OH 43017-1090  
Phone: 614-410-4400 • Fax: 614-410-4490

# Memo

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** May 18, 2021  
**Initiated By:** Jennifer D. Readler, Law Director  
**Re:** Temporary Extension of Certain Executive Orders

## Background

On Wednesday, May 12th, Governor DeWine announced that he intends to lift most all health orders on June 2nd. We have been anticipating that these orders would be lifted as a result of more of our population being vaccinated. This also implies that the Governor will lift the State of Emergency in Ohio. In anticipation of this, Jennifer Readler, Law Director, has drafted necessary documents to lift the State of Emergency I issued as City Manager last March.

As you are aware, during this State of Emergency, I issued temporary orders that remain in effect to include:

1. An Executive Order amending Chapter 153 of the City Code to temporarily permit outdoor dining and eating areas beyond previously approved locations.
2. An Executive Order amending Chapter 153 of the City Code to temporarily permit portable nonresidential structures.
3. An Executive Order amending Chapter 153 of the City Code to temporarily permit window signs greater than 10% of the square footage of all windows and to permit temporary signs in front of business establishments.

Once I lift the State of Emergency, these temporary orders and permits will no longer be in effect and staff will need to enforce our code/s. I intend to keep the Dublin State of Emergency in place as long as the Governor's State of Emergency is in place. Since it is currently not clear when the Governor's State of Emergency will terminate (only health orders expire on June 2), I believe it is important to have Council consider action to ensure continuity.

I recommend that Council consider continuing these orders and associated temporary permits until October 31, 2021, per Resolution 34-21, as I believe it will take a period of time for the community and those businesses issued temporary permits to transition to normal. Staff worked with our local businesses and institutions in need of relief during the pandemic and they were cautioned that their temporary permit was only good until the emergency declaration was lifted. Of course, we had no idea how long that would last. We anticipated the Governor would lift his State of Emergency and associated Department of Health orders; however, this is a little faster than we would have guessed. Businesses will need some time to sort this out. I suggest Council consider some leeway for these temporary permits so that those businesses who suffered significantly, namely restaurants and small businesses, try to maintain and/or gain momentum coming out of the pandemic.

Resolution 34-21

May 18, 2021

Page 2 of 2

**Recommendation**

Staff recommends Council approve Resolution 34-21.

# RECORD OF RESOLUTIONS

Resolution No. 34-21

Passed \_\_\_\_\_

## **A RESOLUTION TEMPORARILY PERMITTING OUTDOOR DINING AND EATING AREAS BEYOND PREVIOUSLY APPROVED LOCATIONS, TEMPORARILY PERMITTING PORTABLE NONRESIDENTIAL STRUCTURES AND TEMPORARILY PERMITTING CERTAIN SIGNS**

**WHEREAS**, on March 17, 2020, due to the COVID-19 pandemic, a State of Emergency was declared in the City of Dublin pursuant to the powers vested in the City Manager under Chapter 36 of the Dublin Codified Ordinances and Revised Charter; and

**WHEREAS**, pursuant to his emergency authority, the City Manager issued executive orders permitting outdoor dining and eating areas beyond previously approved locations and permitting portable nonresidential structures; and

**WHEREAS**, on June 2, 2021, Governor DeWine and the Ohio Department of Health lifted most of the health orders necessitated by the state of emergency caused by COVID-19 in the State of Ohio; and

**WHEREAS**, the City Manager will soon consider ending the citywide state of emergency and a return to regular order; and

**WHEREAS**, City Council believes it is necessary to ensure that the effect of these executive orders is extended until October 31, 2021.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_ of its elected members concurring, that:

**Section 1. Outdoor Dining and Eating Areas.** The enforcement of certain provisions of Chapter 153 regarding the City's Outdoor Dining and Seating regulations are temporarily amended as follows:

1. A business may temporarily expand their outdoor dining and eating area outside of the currently designated/approved location to allow for increased social distancing related to COVID-19. This will be permitted with the following stipulations:
  - The expansion will be permitted in conjunction with an existing and permitted restaurant use;
  - A Certificate of Zoning Plan Approval will be required at no cost;
  - Relief from specific zoning site requirements, design details, and parking requirements will be applied on a case-by-case basis.
  - Outdoor speakers and music will not be permitted in the expanded areas.
  - Outdoor dining and seating area materials should complement the existing materials.
  - Expanded areas will be located to be sensitive to and take into consideration surrounding properties, including residential areas.
  - Alcohol may only be served in the expanded area when permitted by the Ohio Division of Liquor Control.
  - Staff will review the request for the expansion in conjunction with the direction and guidance of FCPH.

# RECORD OF RESOLUTIONS

*Resolution No.* 34-21 *Passed* Page 2

2. A Certificate of Zoning Plan Approval shall be required in order to permit Outdoor Dining and Seating expansion. The following information will be required to be submitted with the CZPA form at no charge:

- Detailed, dimensioned site plan showing the location on the site with adherence to ensuring safe access and be served by adequate parking;
- Sensitively located and to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
- Design specifications associated with the proposed outdoor dining and seating expansion shall be provided: chairs and tables, umbrellas, etc.
- Detailed narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19;
- Signed acknowledgment that the time period of validity is limited to October 31, 2021.

**Section 2. Portable Nonresidential Structures.** The enforcement of certain provisions of Chapter 153 regarding the City's Portable Structures and Temporary Uses are temporarily amended as below:

1. Section 153.097(B)(3) – Portable Nonresidential Structures. A business may temporarily erect a building(s) or similar structure(s) designed for occupation which is not placed on a permanent foundation to allow for testing, waiting or staging related to COVID-19. The definition shall include construction trailers, portable classrooms, tents, trailers and other similar structures.
2. Section 153.097(C) – Permit process. A Certificate of Zoning Plan Approval shall be required to permit these designated portable structures and temporary uses. The following information will be required to be submitted with the CZPA form at no charge:
  - Detailed, dimensioned site plan showing location on the site with consideration of the required setbacks and ensuring safe access and be served by adequate parking;
  - Sensitively located to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
  - Detailed and dimensioned elevations or design specifications of the proposed temporary structure;
  - Detailed in a narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19.

**Section 3. Temporary Signs.** The enforcement of certain provisions of Chapter 153 regarding the City's Sign Code are temporarily amended as follows:

1. Section 153.159(c) – Window Signs: A business may temporarily erect window signs greater than ten percent (10%) of the square footage of all windows for that business. Any increase shall not hinder the ability to view into the business for safety purposes. An application and permit are not required for this increase.

# RECORD OF RESOLUTIONS

*Resolution No.* 34-21 *Passed* Page 3

2. Temporary Signs, Banners & Sandwich Boards – a business may erect one (1) temporary sign, banner, or sandwich board on or in front of its establishment. This sign shall not exceed six (6) square feet in area. There will be no application or fee for this temporary sign. This temporary sign must comply with all Building Code Standards and with the Americans with Disabilities Act (ADA).

**Section 4.** The intent of this Resolution is to support local businesses during this difficult economic time. These temporary amendments will immediately cease on October 31, 2021, at which time the expanded outdoor dining and seating and portable nonresidential structures will be required to be removed and the site restored and all temporary signs removed.

**Section 5.** This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

## EXECUTIVE ORDER

### TEMPORARY OUTDOOR PATIO EXPANSION

Pursuant to Chapter 36 of the Dublin Codified Ordinances and the City Manager's Declaration of a State of Emergency issued on March 17, 2020, the enforcement of certain provisions of Chapter 153 regarding the City's Outdoor Dining and Seating regulations are temporarily amended as follows:

1. A business may temporarily expand their outdoor dining and eating area outside of the currently designated/approved location to allow for increased social distancing related to COVID-19. This will be permitted with the following stipulations:
  - a. The expansion will be permitted in conjunction with an existing and permitted restaurant use;
  - b. A Certificate of Zoning Plan Approval will be required at no cost;
  - c. Relief from specific zoning site requirements, design details, and parking requirements will be applied on a case-by-case basis.
  - d. Outdoor speakers and music will not be permitted in the expanded areas.
  - e. Outdoor dining and seating area materials should complement the existing materials.
  - f. Expanded areas will be located to be sensitive to and take into consideration surrounding properties, including residential areas.
  - g. Alcohol may only be served in the expanded area when permitted by the Ohio Division of Liquor Control.
  - h. Staff will review the request for the expansion in conjunction with the direction and guidance of FCPH.
  
2. A Certificate of Zoning Plan Approval shall be required in order to permit Outdoor Dining and Seating expansion. The following information will be required to be submitted with the CZPA form at no charge:
  - Detailed, dimensioned site plan showing the location on the site with adherence to ensuring safe access and be served by adequate parking;
  - Sensitively located and to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
  - Design specifications associated with the proposed outdoor dining and seating expansion shall be provided: chairs and tables, umbrellas, etc.
  - Detailed narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19;
  - Signed acknowledgment that the time period of validity is limited to the City's designation of a State of Emergency, or any other time limitation otherwise mandated by the City Manager.

The intent of this Order is to support and promote increased social distancing and support local businesses during this difficult economic time. These temporary amendments will immediately cease upon termination of the State of Emergency or as otherwise mandated by the City Manager and the expanded outdoor dining and seating will be required to be removed and the site restored.

## EXECUTIVE ORDER

### PORTABLE STRUCTURES AND TEMPORARY USES

Pursuant to Chapter 36 of the Dublin Codified Ordinances and the City Manager's Declaration of a State of Emergency issued on March 17, 2020, the enforcement of certain provisions of Chapter 153 regarding the City's Portable Structures and Temporary Uses are temporarily amended as below:

1. Section 153.097(B)(3) – Portable Nonresidential Structures. A business may temporarily erect a building(s) or similar structure(s) designed for occupation which is not placed on a permanent foundation to allow for testing, waiting or staging related to COVID-19. The definition shall include construction trailers, portable classrooms, tents, trailers and other similar structures.
2. Section 153.097(C) – Permit process. A Certificate of Zoning Plan Approval shall be required to permit these designated portable structures and temporary uses. The following information will be required to be submitted with the CZPA form at no charge:
  - Detailed, dimensioned site plan showing location on the site with consideration of the required setbacks and ensuring safe access and be served by adequate parking;
  - Sensitively located to show adherence to the standards of the community and minimizing impact on nearby residential uses to the maximum extent possible;
  - Detailed and dimensioned elevations or design specifications of the proposed temporary structure;
  - Detailed in a narrative noting the specific use proposed and the scope of the intended use, particularly highlighting the required need as a result of COVID-19;
  - Signed acknowledgment that the time period of validity is limited to the City's designation of a State of Emergency, or any other time limitation otherwise mandated by the City Manager.

The intent of this Order is to support and promote healthy practices during this difficult economic time. These temporary amendments will immediately cease upon termination of the State of Emergency or as otherwise mandated by the City Manager and the portable structures and temporary uses will be required to be removed and the site restored.

**EXECUTIVE ORDER  
CHAPTER 153 SIGNS**

Pursuant to Chapter 36 of the Dublin Codified Ordinances and the City Manager's Declaration of a State of Emergency issued on March 17, 2020, the enforcement of certain provisions of Chapter 153 regarding the City's Sign Code are amended as below:

1. Section 153.159(C) – Window Signs: A business may temporarily erect window signs greater than ten percent (10%) of the square footage of all windows for that business. Any increase shall not hinder the ability to view into the business for safety purposes. An application and permit are not required for this increase.
2. Temporary Signs, Banners & Sandwich Boards – A business may erect one (1) temporary sign, banner, or sandwich board on or in front of its establishment. This sign shall not exceed six (6) square feet in area. There will be no application or fee for this temporary sign. This temporary sign must comply with all Building Code Standards and with the American with Disabilities Act (ADA).

The intent of this Order is to support and promote our local businesses during this difficult economic time. These temporary amendments will immediately cease upon termination of the State of Emergency.

**A DECLARATION OF A STATE OF EMERGENCY  
IN THE CITY OF DUBLIN**

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) so far has reported numerous infections and deaths due to the disease; and

**WHEREAS**, on March 9, 2020 the Ohio Department of Health announced confirmed cases of COVID-19 in the State of Ohio, which number continues to increase; and

**WHEREAS**, on that same date, Governor DeWine declared a state of emergency for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19, and to assist in protecting the lives, safety and health of the citizens of Ohio; and

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”); and

**WHEREAS**, State, Territorial, Tribal, local government entities and certain private non-profit (PNP) organizations are eligible to apply for Public Assistance as a result of this Presidential declaration; and

**WHEREAS**, Governor DeWine and Director Acton have cooperated in issuing a series of declarations and orders limiting the size of gatherings and directing closures and this continues to be an evolving situation; and

**WHEREAS**, the Ohio Department of Health, Franklin County Public Health and local public health jurisdictions continue to work collaboratively and closely with school systems, hospital systems, colleges and universities, and the business community to help minimize the spread of this disease.

**WHEREAS**, COVID-19 endangers the lives of the citizens of Dublin, creating an emergency to life and public safety and disrupting commerce.

**NOW THEREFORE, BE IT DECLARED BY THE CITY MANAGER OF  
DUBLIN, DANA L. MCDANIEL, AS FOLLOWS:**

**Section 1.** City Manager Dana L. McDaniel hereby declares, pursuant to Chapter 36 of the Dublin Codified Ordinances and Revised Charter, an emergency situation, and hereby invokes those portions of the Ohio Revised Code that are applicable to the emergency and has caused the issuance of this action to be in full force and effect in the City of Dublin for the exercise of all necessary emergency authority for protection of the lives and property of the people of Dublin and the continuation of local government with a minimum of disruption.

**Section 2.** All public employees in the City of Dublin are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations and directives.

**Section 3.** The Dublin Emergency Operations Center is hereby activated.

**Section 4.** All residents are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and employees executing emergency operational plans, and to obey and comply with the lawful direction of properly identified officers.

**Section 5.** This State of Emergency will remain in effect until the emergency no longer exists, such time to be determined by the City Manager.

A handwritten signature in black ink, appearing to read 'Dana L. McDaniel', followed by the date '3/17/2020' written in a similar cursive style.

Dana L. McDaniel  
City Manager  
Dublin, Ohio

Date

**A DECLARATION OF A STATE OF EMERGENCY  
IN THE CITY OF DUBLIN**

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

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**WHEREAS**, State, Territorial, Tribal, local government entities and certain private non-profit (PNP) organizations are eligible to apply for Public Assistance as a result of this Presidential declaration; and

**WHEREAS**, Governor DeWine and Director Acton have cooperated in issuing a series of declarations and orders limiting the size of gatherings and directing closures and this continues to be an evolving situation; and

**WHEREAS**, the Ohio Department of Health, Franklin County Public Health and local public health jurisdictions continue to work collaboratively and closely with school systems, hospital systems, colleges and universities, and the business community to help minimize the spread of this disease.

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**NOW THEREFORE, BE IT DECLARED BY THE CITY MANAGER OF  
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Dana L. McDaniel  
City Manager  
Dublin, Ohio

Date