



Representatives Louis W. Blessing, III and Denise Driehaus

Sponsor Testimony HB 47
February 11, 2015

Chairman Brown, Vice Chair Blessing, Ranking Member Clyde, and members of the Government Accountability and Oversight Committee, thank you for the opportunity to provide sponsor testimony on House Bill 47. This bill seeks to allow municipal corporations and townships with a population of more than 25,000 to create outdoor refreshment areas and to exempt persons within that area from the open container law.

These open refreshment areas are known for their economic improvements and many once thriving areas in Ohio would benefit from the boost in sales and increased customer base that comes with allowing open containers. This bill can be broken down into three main parts; Creation of the refreshment area, characteristics of the area, and evaluation of the area.

This first aspect, creation of the area, is the largest section. It lays out the procedure that must take place for a refreshment area to be created. This process starts on the local level with the mayor of a municipal corporation or the fiscal officer of a township submitting an application with the local legislative body. The public must be made known of the application through public notice after which the legislative authority shall vote to accept or deny the application. When passed, the division of liquor control is notified and they issue permits to the qualified vendors. After the creation of these zones, the local government maintains the ability to govern these areas by creating ordinances to enforce any safety requirements.

The second aspect, characteristics of the area, can be broken down into 4 easy points.

- 1, the area cannot be larger than one half mile by a half mile.
- 2, the area must be clearly marked.
- 3, there must be at least 4 qualified permit holders within the area.
- 4, the area maintains the requirements needed for public safety

The third aspect, evaluation of the area, is short and simple. After five years the local legislative body takes a look at and reviews the refreshment area. They then take a vote to either keep or dissolve the district. This process takes place every 5 years. It is important to note that the governing body may vote to dissolve a refreshment area at any time within those 5 years or subsequent years.

One change that we made this time was to add an emergency clause. This is important due to the fact that the Major League Baseball All Star game will take place in Cincinnati early this July. This will also then be in place for the Republican National Convention in Cleveland.

It is our goal that these outdoor refreshment areas be used to create another incentive for Ohioans to patronize local businesses, and local governments indirectly, while having a great time in the process. Thank you for this opportunity to speak on HB 47. We would be happy to entertain any questions the Committee might have at this time.