

**WILLIAM J. ROTH, JR.
MAYOR**



CITY OF FAIRLAWN

EXECUTIVE ORDER REGARDING OUTDOOR DINING

WHEREAS, on March 9, 2020, Governor Mike DeWine declared a state of emergency for the entire State of Ohio due to the COVID-19 crisis; and

WHEREAS, on March 16, 2020, I issued an executive order and City Council enacted a resolution which declared a state of emergency for the City of Fairlawn due to the COVID-19 crisis; and

WHEREAS, on March 22, 2020, the Ohio Director of the Department of Health has issued a number of orders which have restricted and impacted local businesses in various ways; and

WHEREAS, the United States Centers for Disease Control and Prevention favors outdoor dining over indoor dining with regard to preventing the spread of COVID-19; and

WHEREAS, Due to the COVID-19 Crisis many local businesses have faced hardships and this is particularly true of the restaurants in the City of Fairlawn.

NOW THEREFORE, by the virtue of the power vested in me by the Charter of the City of Fairlawn, the Constitution and laws of the State of Ohio, I, William J. Roth, Jr., Mayor of the City of Fairlawn, hereby order and direct that:

As a result of this unprecedented situation, I am issuing this Executive Order temporarily suspending certain City regulations regarding outdoor seating and dining for restaurants. There will be no fees charged to request or receive approval for such expanded outdoor dining use.

Temporarily expanded outdoor dining will be allowed subject to the following requirements:

1. The use must meet with the approval of the City Zoning Administrator, who has discretion to approve such requests where he deems them reasonable.
2. The use must meet with all applicable building and fire codes.
3. The use must comply with any health department orders.
4. The use does not adversely affect vehicular traffic or pedestrian flow.
5. The use does not present an unreasonable safety risk.

This order shall be in effect for the remainder of the calendar year of 2020. After the expiration of this order any use temporarily authorized must cease unless the restaurant receives the appropriate City approval through application to the Board of Zoning Appeals or the Planning Commission to allow for the outdoor dining on a permanent basis.

William J. Roth, Jr., Mayor

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