

WILLIAM J. ROTH, JR.  
MAYOR



## CITY OF FAIRLAWN

EXECUTIVE ORDER NO. 2021-002

REGARDING OUTDOOR DINING

February 17, 2021

**WHEREAS**, there is an ongoing state of emergency due to the COVID-19 pandemic; and

**WHEREAS**, as a result of the COVID-19 pandemic the Governor of Ohio and the Ohio Director of the Department of Health have 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 previously issued an Executive Order temporarily suspending certain City regulations regarding outdoor seating and dining. I am hereby extending this suspension of regulation regarding outdoor seating and dining. 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 Zoning Commissioner, who has discretion to approve such requests where he deems them reasonable.
2. The use must meet with all applicable fire codes.
3. The use must comply with current health department orders.
4. The use does not unreasonably 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 2021. After the expiration of this order any use temporarily authorized must cease unless the restaurant receives the appropriate City approval that would otherwise allow for the outdoor dining on a permanent basis.

  
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William J. Roth, Jr., Mayor