

## COMMUNITY ENTERTAINMENT DISTRICT (CED)

### How to Apply for a D-5J Liquor Permit:

1. First check with your local Legislative Authority (City, Village or Township), to determine if a Community Entertainment District (CED) has already been established under Ohio Revised Code 4301.80 and 4303.181(J) that encompasses the boundaries of where your business is or will be located.
2. If a CED has already been established and your address is located within the boundaries, complete the Division of Liquor Control New D5J Application DLC 4113 [https://www.com.ohio.gov/documents/liqr\\_4113.pdf](https://www.com.ohio.gov/documents/liqr_4113.pdf), from our website. The statute defining the D-5J class permit is 4303.181(J) and can be found at <http://codes.ohio.gov/orc/Search/4303.181>.
3. If a CED has not been established, please contact your local Legislative Authority to determine if they wish to begin the process outlined in [Ohio Revised Code 4301.80](#). Below is a summary of the process:

### Application Process to Legislative Authority Creating CED:

- A. Applicants who want to designate property as a community entertainment district and hold a D5J liquor permit must file an application or documentation with the municipal corporation or township where that property is located. **Note: The application referenced above is not a Division of Liquor Control Application, and you must contact your municipal corporation or township office to determine their specific guidelines for filing this document.** Ohio Revised Code 4301.80 states in part that the application must include the following:
  - (1) The applicant's name and address;
  - (2) A map or survey of the proposed Community Entertainment District in sufficient detail to identify the boundaries of the district and the property owned by the applicant;
  - (3) A general statement of the nature and types of establishments that are or will be located within the proposed Community Entertainment District;
  - (4) If some or all of the establishments within the proposed community entertainment district have not yet been developed, the proposed time frame for completing the development of those establishments;

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(5) Evidence that the uses of land within the proposed Community Entertainment District are in accord with the municipal corporation's or township's master zoning plan or map;

(6) A certificate from a surveyor or engineer licensed under Chapter 4733. of the Revised Code indicating that the area encompassed by the proposed Community Entertainment District contains no less than twenty contiguous acres;

(7) A handling and processing fee to accompany the application, payable to the applicable municipal corporation or township, in an amount determined by that municipal corporation or township.

- B. The municipal corporation or township will follow the process and timelines outlined under Section C, D, E and F of Ohio Revised Code 4301.80, for processing the application and creating the CED.

## What Does the Legislative Authority Submit to the Division of Liquor Control?

Once the municipal corporation or township has created the CED, the Division of Liquor Control will require the municipal corporation or township, to file the following to set-up the CED in the Division's computer system and begin accepting D5J Liquor Permit Applications:

1. A copy of the signed Ordinance or Resolution.
2. Either a one-page document summarizing the following, or a copy of the application submitted to the office of the municipal corporation or township that has the following information:
  - a. Map or survey of the proposed CED.
  - b. Documentation of the number of acres in the CED, **certified by a surveyor or engineer licensed under Chapter 4733.** This document must contain the name of the surveyor or engineer and is used to determine how many D-5J liquor permits can be issued within the CED. Acreage requirements under 4303.181(J) and 4301.80(B)(6) are outlined below:
    - i. Not more than one D-5j permit shall be issued within each community entertainment district for each five acres of land located within the district. Not more than fifteen D-5j permits may be issued within a single

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community entertainment district. Except as otherwise provided in division (J)(4) of this section, no quota restrictions shall be placed upon the number of D-5j permits that may be issued.

- ii. A certificate from a surveyor or engineer licensed under Chapter 4733. of the Revised Code indicating that the area encompassed by the proposed community entertainment district contains no less than twenty contiguous acres;
- c. General statement of the nature and types of establishments located in the CED that meet the criteria of the statute.
- d. Evidence that the uses of land within the proposed CED are in accord with the municipal or township master zoning plan or map.
- e. A list of the street boundaries that encompass the proposed CED. This list helps the Division process D5J applications efficiently to determine if the address is in the approved boundaries of the CED established by the Ordinance or Resolution. **See Appendix A for how the Division requires the street boundary listing to be submitted.**
- f. A statement indicating which population requirement is met for the CED. Population requirements are outlined below and under 4303.181(J).

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### APPENDIX A - Street Boundary Format to be Submitted:

(Type NAME OF COUNTY)  
 (Type NAME OF CITY/VILLAGE/TOWNSHIP)  
 (Type NAME OF DORA/CED/Revitalization District)  
 (Type Date)

#### Street Boundary Listing

NOTE: Please sort to group all streets together		
Street Name	Range	Even/Odd
1st Ave	790-912	Even & Odd
1st Ave	1001-1199	Odd
2nd Ave	800-820	Even & Odd
4th Ave	791	Help
Central Ave	500-900	Even
Central Ave	901-1372	Even & Odd
Central Ave	1373-1391	Odd
Clark St	1-98	Even
Manchester Ave	1000-1199	Even & Odd
Manchester Ave	1200-1398	Even
N Broad St	1-299	Even & Odd
N Canal St	1-99	Even & Odd
N Clinton St	1-99	Even & Odd
N Main St	1-24	Even & Odd
N Main St	25-299	Odd
<b>LIST STREETS LATER DEVELOPED AND ADDED, OR ANY CORRECTIONS TO THE ORIGINAL STREET LISTING, WITHIN THE BOUNDARIES OF THE CED.</b>		
Streets Developed and Added	(Type Date streets added)	Even & Odd
Jon Doe St	200-300	Even & Odd
Maple Ave	20-100	Even & Odd

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### STREET BOUNDARY INFORMATION:

The Division processes the creation/establishment of Community Entertainment Districts, and the expansion of an existing CED. The Division determines whether an address of a liquor permit applicant falls within the existing boundaries of a CED using the **street boundary list** submitted by each Legislative Authority. The Division realizes that a Legislative Authority may need to document the boundaries in the format of plots of land or exact addresses of businesses, however **street boundaries must be submitted to the Division in block ranges (e.g., 100 – 500 Main Street)**. To ensure the Division has a consistent method for processing street listings with all Legislative Authorities the Division requests that Legislative Authorities utilize the street boundary format of **Appendix A** and reference the below information when advising constituents and/or submitting current or updated street boundary listings to the Division.

- The Division verifies the location of every D-5J (CED) liquor permit application filed, utilizing the street listing provided by the Legislative Authority to determine whether the applicant is within the boundaries of the CED.
- If the street address of a D-5J (CED) applicant is outside the CED, the Legislative Authority will be required to pass another Ordinance or Resolution expanding the area, providing the acreage requirement has not been met.
- Any revised street boundary list must be in the format referenced above.
- If the acreage requirement has been met, then the original CED cannot be expanded, and a brand-new Ordinance or Resolution will need to be passed creating a new CED.
- After an Ordinance or Resolution is filed, should the land be further developed within the boundaries of an existing CED, the Legislative Authority is required to update the street boundary list with the Division. This updated list must be submitted in the format referenced on Appendix A, with the effective date of the new streets. This method helps both the Division and the Legislative Authority keep track of the history of streets within the boundaries of that CED.

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### POPULATION REQUIREMENTS:

The Legislative Authority must provide the Division with a statement indicating which one of the population requirements outlined below in part under 4303.181 (J)(1-7) are met for the CED being created.

- (1) It is located in a municipal corporation with a population of at least one hundred thousand.
- (2) It is located in a municipal corporation with a population of at least twenty thousand, and either of the following applies:
  - (a) It contains an amusement park the rides of which have been issued a permit by the department of agriculture under Chapter 1711. of the Revised Code.
  - (b) Not less than fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (3) It is located in a township with a population of at least forty thousand.
- (4) It is located in a township with a population of at least twenty thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the township.
- (5) It is located in a municipal corporation with a population between seven thousand and twenty thousand, and both of the following apply:
  - (a) The municipal corporation was incorporated as a village prior to calendar year 1880 and currently has a historic downtown business district.
  - (b) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.
- (6) It is located in a municipal corporation with a population of at least ten thousand, and not less than seventy million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.
- (7) It is located in a municipal corporation with a population of at least three thousand, and not less than one hundred fifty million dollars will be invested in development and construction in the community entertainment district's area located in the municipal corporation.

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### Division of Liquor Control Process:

1. The Division will review the documents submitted by the municipal corporation or township, prepare a report and summary of the information received, and have the CED created in our system with all street boundaries. This process takes approximately 7-14 days.
2. The Division will notify the municipal corporation or township (via email or US Mail) when the CED is created in the Division's system and it will begin accepting D5J applications.
3. D5J liquor permit applicants must ensure they meet the requirements under <http://codes.ohio.gov/orc/4303.181>. An applicant must complete a New D5J liquor permit Application DLC 4113 [https://www.com.ohio.gov/documents/liqr\\_4113.pdf](https://www.com.ohio.gov/documents/liqr_4113.pdf), from our website ([www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr)).
4. Applicants must include the **correct** Community Entertainment District Name as passed under the Ordinance or Resolution on the D-5J liquor permit application. If in doubt, please check with your local Legislative Authority.
5. Before processing any D-5J application the Division will ensure the street address listed on the application falls within the boundaries of the CED listed, and that it meets all requirements under 4303.181(J).
6. The D-5J application process takes 10-12 weeks.