



## ORA Requesting Alcohol Sale Curfew Moved Back to Midnight

Governor Mike DeWine,

Thank you for your ongoing leadership during the COVID-19 pandemic and for working with Ohio's businesses as we partner to keep the economy as strong as possible. Restaurants are doing their part by operating safely, following the Dine Safe Ohio order and taking the Ohio Restaurant Promise pledge.

The pandemic and resulting capacity limitations for restaurants over the past 6 months continue to severely impact our industry. Our surveys of owners and operators around the state show more than half are suffering sales losses versus a year ago of -20% to more than -70%. Furthermore, 80% do not expect to breakeven financially in 2020 and 50% don't expect their businesses to survive into 2021 if conditions stay the same. Restaurants, bars, hotels and other hospitality services were among the first to feel the impact of COVID-19 and will be the last to fully recover, leaving empty buildings across the state and more than a third of our industry unemployed.

There are a number of items we are working to avoid the worst industry collapse since the Depression and we have determined that adjusting the current 10:00 pm curfew for the sale of alcohol is a critical priority at the state level. The curfew impairs restaurants from executing their "last table turn" with customers dining later into the evening and restricts bars from operating during an important part of day that provides profitability to their business models.

**The Ohio Restaurant Association and our Board of Directors are formally requesting the state to change the alcohol sale curfew from 10:00 pm to midnight.** This was the recommendation from your Restaurant Advisory Group.

We feel strongly about making this change as soon as possible. We urgently need support, especially with the gridlock in Washington, DC where Congress is unlikely to address a federal relief bill and a second round of the Paycheck Protection Program until after the election. While Congress delays action, small and mid-sized businesses are in a crisis mode. They are running out of PPP funding and cash, while fixed costs are still due – rent, insurance, technology fees, supplies, labor and additional PPE.

We recall when Dr. Deborah Birx met in July with state officials to talk about COVID-19 hot spots in Ohio. She shared concern about rising positivity rates and requested more restrictions. When announcing the alcohol curfew enacted at that time you said: "We do not want to shut down Ohio bars and restaurants, but we do have to take some action and see what kind of results we get from this action."

In the intervening eight weeks, COVID-19 cases have leveled, hospitalizations have declined, the positivity rate has dropped from nearly 7% to 3%, and the Ohio Investigative Unit has shown themselves to be an effective enforcement unit. The OIU is regularly visiting restaurant and bar locations statewide and the Liquor Control Commission is appropriately meting out enforcement including fines and liquor license suspensions to establishments violating the mask mandate and social distance orders. We talk regularly with the OIU and they tell us that the vast majority of Ohio establishments are operating responsibly. We know these responsible operators can safely serve guests a little bit later into the evening and believe now is the right time to extend the alcohol curfew from 10:00 pm to midnight, giving Ohio's alcohol serving foodservice operators a better chance at survival.

It is also worth noting that as professional and college sports are regularly back on TV, other states, including our border states of Kentucky and Pennsylvania, are moving their curfews later and loosening some other restrictions. Ohio's restaurants could be at a major disadvantage as folks often enjoy a meal while watching a game. A later curfew will allow those patrons to enjoy the full game at a safely operating Ohio establishment.

In summary, we respectfully request your support to do two things at the same time – help business owners survive with a later alcohol curfew and continue to operate safely.

Sincerely,

John D. Barker  
President and CEO, Ohio Restaurant Association

Cc: ORA Board of Directors