

ORDINANCE 25- 08

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY
OF WESTFIELD, INDIANA ESTABLISHING A DESIGNATED OUTDOOR
REFRESHMENT AREA PURSUANT TO IND. CODE § 7.1-3-31 *et seq.*

WHEREAS, the City of Westfield, Indiana ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council");

WHEREAS, Ind. Code § 7.1-3-31 *et seq.* authorizes the City to establish and designate, via Ordinance duly passed by the Council, Designated Outdoor Refreshment Areas ("DORAs");

WHEREAS, the establishment and designation of DORAs can facilitate economic development and benefit the City by creating an inviting atmosphere for residents and visitors patronizing restaurants and businesses located within a DORA; and

WHEREAS, the Council finds that it is in the best interests of the citizens of the City to establish and designate a DORA in the general area of Grand Park and the Grand Park District, pursuant to the terms of this Ordinance and all in compliance with Ind. Code § 7.1-3-31 *et seq.*

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Indiana, that:

Section 1. Recitals. The foregoing recitals are fully incorporated herein by reference.

Section 2. Definitions. All definitions established in Ind. Code § 7.1-3-31 *et seq.*, as may be amended or revised from time to time, shall apply throughout this Ordinance.

Section 3. Grand Park District DORA. As authorized by Ind. Code § 7.1-3-31-8, the Council hereby designates and establishes the Grand Park District Designated Outdoor Refreshment Area ("Grand Park District DORA"), as reflected in the map attached hereto as *Exhibit A*, which is approved and adopted by the Council and incorporated herein by reference.

Section 4. Street Address Boundaries. The boundaries (by street address) of the Grand Park District DORA are as follows:

Point of beginning is the southeast corner of 343 W 191st St (parcel no. 08-05-26-00-00-555.555), then north to the southern right-of-way line of E 191st St, then east following the right-of-way line approximately 1,435 feet to a point on the western property line of 9 E 191st St, then following a south southeast bearing to the southwestern corner of 9 E 191st St, then east approximately 680 feet to a point on the western parcel line of 207 E 191st St, then south to the southwestern corner of 207 E 191st St, then east along the southern parcel line to the southeastern corner of 207 E 191st St, then north approximately 630 feet back to the southern right-of-way line of E 191st St. Then east following the right-of-way line approximately 5,575 feet to the northwesternmost corner of 1313 E 191st St. Then south to a point on the northern parcel line of parcel no. 08-05-25-00-00-053.000, then east along the parcel line to the northeast corner of said parcel, then south to a point on the northern parcel line of 18449 Blackburn Rd, then due west approximately 1,390 feet to the southeast corner of 18606 N Tomlinson Rd. Then west to the southwest corner of 18606 Tomlinson Rd, then north to the northwest corner of said parcel, then east to the western right-of-way line of Tomlinson Rd. Then south following the western right-of-way line of Tomlinson Rd to the southeast corner of 18606 Tomlinson Rd. Then south following the western right-of-way line of Tomlinson Rd/Wheeler Rd approximately 619 feet to the southeast corner of 1187 E 186th St, then west to the southwest corner of 1021 E 186th St, then south to the southeast corner of 937 E 186th St, then west to the southwest corner of 937 E 186th St, then southwest approximately 47 feet to a point on the northern parcel line of Grand Park Village Lake (parcel no. 08-05-36-00-02-004.000). Then west following the parcel line of the lake to the eastern corner of 18325 John Dippel Blvd, then southwest following the parcel line to the northern right-of-way line of John Dippel Blvd, then northwest following the right-of-way line approximately 165 feet to a point on the west parcel line of 18325 John Dippel Blvd parallel to the southern parcel line of parcel no. 08-05-35-00-00-007.000. Then west following the parcel line of said parcel to the southeast corner of the parcel, then north approximately 1,384 feet to the northern right-of-way line of E 186th St. Then west following the northern right-of-way line of E 186th St to a point on the eastern parcel line of 320 W 186th St, then north to the northeast corner of 320 W 186th St, then west to the eastern right-of-way line of Spring Mill Rd. Then north following the eastern right-of-way line of Spring Mill Rd to a point on the southern parcel line of 343 W 191st St, the east to the point of beginning. Exclusive of the Monon Trail.

Section 5. Zoning Ordinance. The Common Council finds and states that the Grand Park District DORA is consistent with the City of Westfield's zoning ordinance.

Section 6. Dates and Hours of Operation. The dates and hours of operation of the Grand Park District DORA are established as follows: January 1 – December 31, Monday through Thursday from 12 p.m. (noon) to 10 p.m. and Friday through Sunday from 10 a.m. to 11p.m. The dates and hours of the Grand Park District DORA operation may not violate Ind. Code § 7.1-3-1-14.

Section 7. Signage. The Council hereby adopts the number, spacing, and type of signage designating the Grand Park District DORA, and additional minimum standards regarding signage, all of which is attached hereto as *Exhibits C and D*. The City is hereby directed to place conforming signage at, but not limited to, the following locations within the Grand Park District DORA:

- Intersections on the boundary
- Major sidewalks along the boundary
- Potential points of gathering near the boundary
- Areas of congregation
- Where appropriate to confer the message

Additional signage regarding the Grand Park District DORA may be warranted and necessary, and *Exhibits C and D* reflect minimum signage standards. Therefore, the City staff is hereby authorized and granted full authority to increase the number and/or change the type of signage in their sole discretion.

Pursuant to Ind. Code § 7.1-3-31-16, appropriate signage shall be posted at each exit of a Designated Permittee and on the licensed premises of a Vendor.

Section 8. Designated Permittees. The following retailer permittees have licensed premises within the Grand Park District DORA and have submitted completed applications to the City to participate in the Grand Park District DORA as Designated Permittees. The location of each retailer permittee is indicated on the map attached hereto as *Exhibit A*. The City finds that each listed retailer permittee is an appropriate Designated Permittee, and requests that the Indiana Alcohol and Tobacco Commission issue each a refreshment area designation pursuant to Ind. Code § 7.1-3-31-9(b):

- The City of Westfield (d/b/a Grand Park Sports Campus): 19000 Grand Park Blvd

Designated Permittees shall comply with applicable public health and safety requirements established by ordinance for the Grand Park District DORA.

Any additional retailer permittee with licensed premises located within the Grand Park District DORA that desires to be designated as a Designated Permittee and granted a refreshment area designation shall submit a request and completed DORA Designation Form (State Form 57288; *Exhibit B*) to the City, which may be approved by Resolution of the Council.

Section 9. Vendors. Any establishment that desires to obtain a temporary vendor designation to participate in an event or festival within the Grand Park District DORA shall first obtain a Vendor designation. To be designated as a Vendor within the Grand Park District DORA, the establishment shall submit a Special Event Permit Application and the DORA Designation Form (State Form 57288; *Exhibit B*) to the City for each event. The Council may approve a DORA Designation Form for a Vendor by Resolution. A Vendor's location may be at any or all of the designated areas within the Grand Park District DORA as shown in *Exhibit A*, subject to approval of the Special Event Permit and DORA Designation Form.

Vendors shall comply with applicable public health and safety requirements established by ordinance for the Grand Park District DORA.

Section 10. Reserved Rights. Nothing herein shall prohibit a business, landlord, or other establishment from prohibiting individuals from entering the premises or business with open containers of alcoholic beverages, or from prohibiting individuals from entering the premises or business with alcoholic beverages purchased from another establishment. The City maintains full authority and control over the sidewalks and common areas, and no one may prohibit or limit open containers in accordance with Ind. Code § 7.1-3-31 *et seq.* within the Grand Park District DORA, aside from the City of Westfield Police Department.

Section 11. Means of Separation. Upon receipt of refreshment area designation from the Indiana Alcohol and Tobacco Commission, a Designated Permittee shall remove all stanchions, fencing, or other means of separation previously required by law from all common areas, sidewalks, and City right of way, as provided by Ind. Code § 7.1-3-31-15. Glass containers may be allowed in a Designated Permittee's outdoor dining area, but may not be removed from those dining areas into the Grand Park District DORA.

Section 12. Open Containers. All Designated Permittees and Vendors within the Grand Park District DORA may allow a person to exit the licensed premises with not more than two (2) open containers of an alcoholic beverage at a time, and consume

the alcoholic beverages within the Grand Park District DORA. The contents of an open container may not exceed the following:

- Beer or flavored malt beverage of not more than sixteen (16) ounces.
- Wine, cider, or hard seltzer of not more than twelve (12) ounces.
- A mixed drink of not more than ten (10) ounces containing not more than two (2) ounces of liquor.

Section 13. Consumption. Pursuant to Ind. Code § 7.1-3-31 *et seq.*, a person may consume an alcoholic beverage purchased from a Designated Permittee or Vendor anywhere within the Grand Park District DORA boundaries, subject to the right of any retailer permittee or business within the Grand Park District DORA to refuse to allow individuals to enter the licensed premises or business with an alcoholic beverage. A person may not consume an alcoholic beverage within the Grand Park District DORA that was purchased outside of the Grand Park District DORA.

Section 14. Additional Regulations. The additional regulations established in *Exhibit C* shall apply within the Grand Park District DORA.

Section 15. Conflict. Should any part of this Ordinance be found in conflict with Ind. Code § 7.1-3-31 *et seq.*, the terms of Ind. Code § 7.1-3-31 *et seq.*, as may be amended or revised from time to time, shall prevail. Should any parts of this Ordinance be found unconstitutional or illegal, the remaining parts shall survive and be in full effect.

Section 16. Effect. This Ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor, and in accordance with Indiana law.

PASSED THIS 21th DAY OF February 2025 BY THE WESTFIELD
COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD COMMON COUNCIL

Voting For

Voting Against

Abstain


Kurt J Wanninger

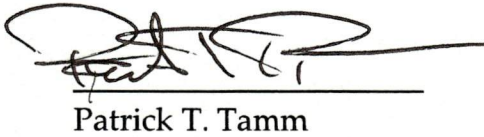
Kurt J Wanninger

Kurt J Wanninger

Chad Huff

Chad Huff

Chad Huff


Patrick T. Tamm

Patrick T. Tamm

Patrick T. Tamm


Joe Duepner

Joe Duepner

Joe Duepner


Jon Dartt

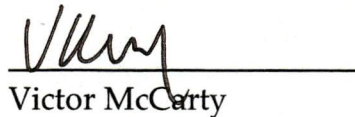
Jon Dartt

Jon Dartt


Noah Herron

Noah Herron


Noah Herron


Victor McCarty

Victor McCarty

Victor McCarty

ATTEST:


Marla Ailor, Clerk-Treasurer

I hereby certify that Ordinance 25-08 was delivered to the Mayor of Westfield on the 24th day of February 2025, at 8:55 p m.

Marla Ailor
Marla Ailor, Clerk-Treasurer

I hereby APPROVE Ordinance 25-08

this 24th day of February 2025.

Scott A. Willis
Scott A. Willis, Mayor

I hereby VETO Ordinance 25-08

this ____ day of _____ 2025.

Scott A. Willis, Mayor

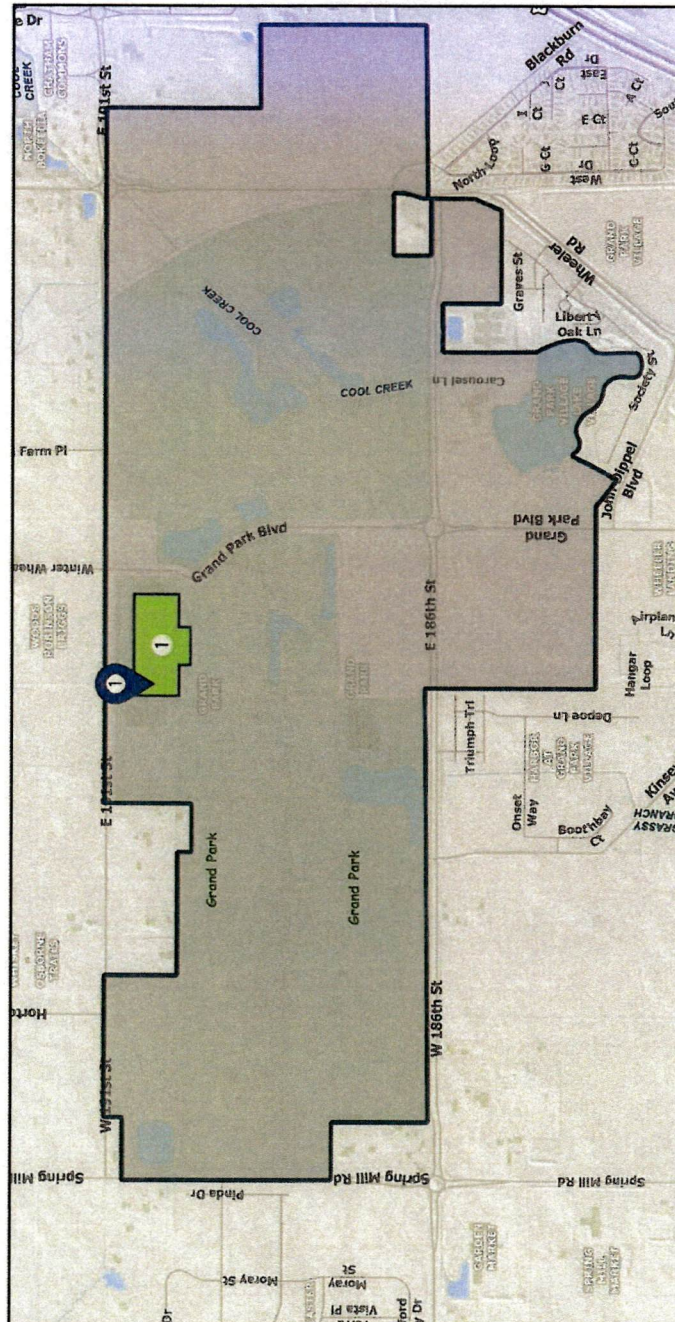
This document was prepared by Kaitlin Glazier, City of Westfield, 2728 East 171st Street, Westfield, IN 46074, 804-3041.

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document unless required by law. /s/ *Kaitlin Glazier*

Exhibit A



Grand Park District DORA Boundary Map



- DORA Boundaries
- 1 GPEC Vendor Area

Designated Permittee
1. City of Westfield d/b/a Grand Park Sports Campus

Exhibit B



Application for Designated Outdoor Refreshment Area (DORA) Designation


**DESIGNATED OUTDOOR REFRESHMENT
AREA (DORA) DESIGNATION**
 State Form 57288 (6-23)

Reset Form

 INDIANA ALCOHOL AND TOBACCO COMMISSION
 302 West Washington Street, Room E-114
 Indianapolis, IN 46204
 (317) 232-2430
<http://www.in.gov/atc>

INSTRUCTIONS

1. Please type or print clearly.
2. There is no charge or fee to be designated as part of a designated outdoor refreshment area (DORA).
3. If you already hold a retail permit within a DORA and are requesting a DORA permittee designation, please complete Sections 1, 3, and 4 below.
4. If you will be obtaining a temporary beer and wine permit, requesting supplemental catering authority, or are a craft manufacturer requesting to operate within a DORA on a temporary basis, please complete Sections 2, 3, and 4 below.

SECTION 1: RETAIL PERMITTEES		
Permittee name (as printed on permit)		Permittee number
Doing business as (d/b/a)		Permit expiration date (mm/dd/yyyy)
Permit address (number and street, city, state, and ZIP code)		
Name of person making application	Telephone number	E-mail address
Has the DORA already been approved by the ATC? <input type="checkbox"/> Yes <input type="checkbox"/> No		DORA Reference Number (approved DORAs only)
SECTION 2: TEMPORARY VENDORS, SUPPLEMENTAL CATERERS & CRAFT MANUFACTURERS		
Please select one: <input type="checkbox"/> Temporary beer and wine permit <input type="checkbox"/> Supplemental catering permit <input type="checkbox"/> Craft manufacturer (artisan distiller, farm winery, small brewer)		
Permittee name		Permit number (catering and manufacturing permits only)
Doing business as (d/b/a)		Permit expiration date (mm/dd/yyyy) (catering and manufacturing permits only)
Address (number and street, city, state, or ZIP code) or description of designated vendor/caterer area		
Name of person making application	Telephone number	E-mail address
DORA Reference Number	Start date (mm/dd/yyyy)	End date (mm/dd/yyyy)
SECTION 3: LOCAL JURISDICTION APPROVAL		
Printed name of city or town official		Date (mm/dd/yyyy)
Signature		Title
SECTION 4: CERTIFICATION AND SIGNATURE		
I hereby certify that I have reviewed this application form prior to signing, and that all information provided herein is true and correct. I acknowledge and understand that it is a felony under Indiana law to misrepresent or falsify any portion of this application or attached documents.		
Printed name of applicant		Date (mm/dd/yyyy)
Signature		Title



Grand Park District Designated Outdoor Refreshment Area (DORA)

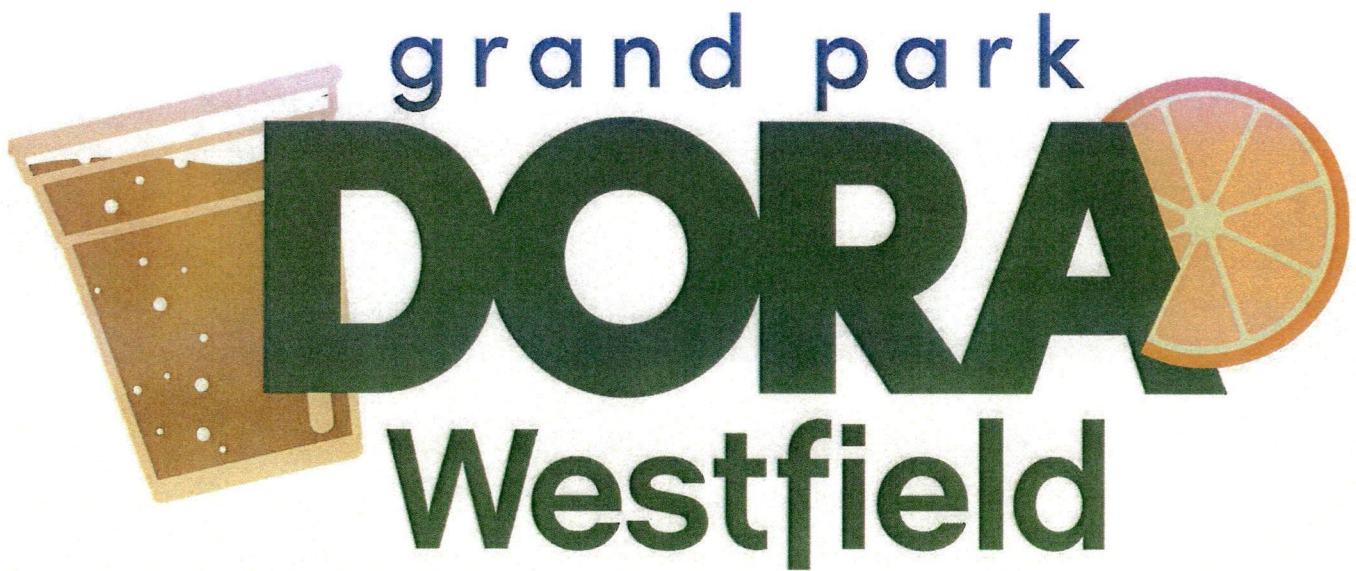
The DORA is a designated area where alcoholic beverages can be purchased in a marked container from participating establishments and carried within the district.

- The Grand Park DORA is in effect January 1 – December 31, Monday through Thursday from 12 p.m. (noon) to 10 p.m. and Friday through Sunday from 10 a.m. to 11 p.m.
- Patrons must be age 21 and over to consume alcoholic beverages within the DORA.
- No outside alcoholic beverages are permitted to be consumed in the DORA.
- DORA beverages may be purchased only at participating liquor establishments.
- DORA beverages are allowed only within the DORA boundaries.
- Exit signage is placed at the boundaries of the DORA and DORA beverages are not permitted outside of these exit points.
- Pre-packaged beverages are not permitted to be dispensed as a DORA beverage.
- Only specific plastic cups with the DORA logo are permitted to be used for DORA beverages.
- No glass containers are permitted in the DORA area, except for outdoor dining areas.
- Patrons may enjoy their beverage outdoors (staying within the DORA boundaries).
- All bars, restaurants, and businesses located within the DORA are strongly encouraged to post an applicable DORA decal in the window.
- Patrons may take their drink into their favorite shop, if a “DORA beverages are welcome here” decal is displayed in the window.
- DORA containers must be disposed of before entering another bar or restaurant (including those that are Designated Permittees) and businesses if the restaurant, bar, or business displays a “DORA beverages are not permitted” decal in the window.
- Possession of an open container of an alcoholic beverage in a motor vehicle may constitute a Class C infraction under IC 9-30-15.
- Safety and nuisance laws are strictly enforced. Patrons participating in the DORA should enjoy the DORA responsibly, respect the residents and businesses in the area, and never drink and drive.

Exhibit D



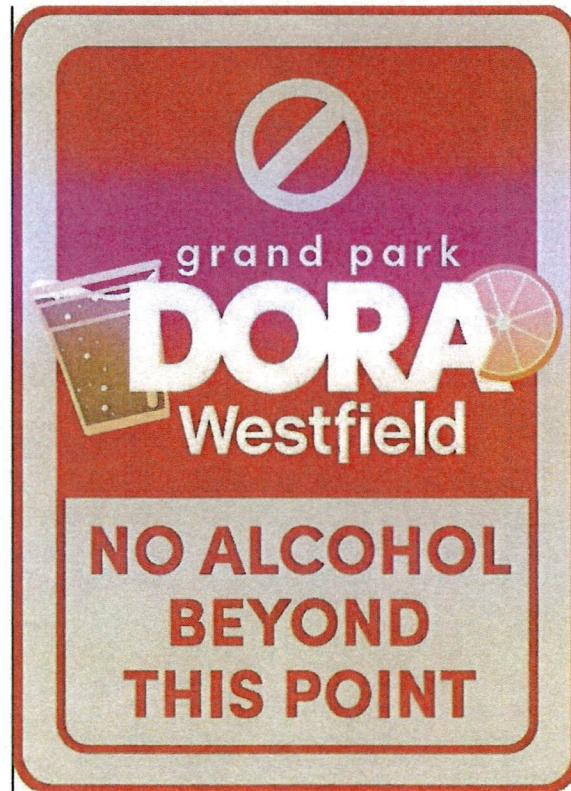
Logo



Window Cling Examples



Boundary Sign Examples



Sidewalk Boundary Graphic Examples

