

Ordinance No. .

2023-8-2

TOWN OF KIRKLIN**ORDINANCE NO.****AN ORDINANCE ESTABLISHING
A DESIGNATED OUTDOOR REFRESHMENT AREA**

- A. Indiana Code § 7.1-3-31 (“DORA Statute”) allows a municipality to create, by ordinance, a designated outdoor refreshment area (“DORA”) in which retailer permittees (i.e., restaurants and businesses that sell alcohol for on-premises consumption) and temporary permittees located in the DORA to allow persons who are at least 21 years of age to leave their premises with open containers of alcoholic beverages and consume those beverages within the boundaries of the DORA.
- B. The creation of DORAs can facilitate economic development and benefit the municipality by creating an inviting atmosphere for visitors to patronize restaurants and other businesses within a DORA, whether during regular business hours or as part of a festival or special event.
- C. The Town of Kirklín (“Town”) has a growing number of restaurants and local businesses that would benefit from the creation of DORAs.
- D. The Town Council of Kirklín (“Council”) desires to establish a DORA in accordance with Indiana law and pursuant to the terms of this ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council as follows:

SECTION 1. Creation of the DORA, Map, and Zoning. The Travelers Point DORA is hereby created within the boundaries shown on the map attached hereto as Exhibit B, which is consistent with the Town’s zoning ordinance.

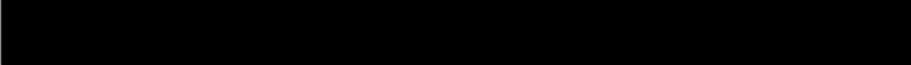
SECTION 2. Boundaries of the Travelers Point DORA. The following streets and addresses constitute the boundaries of the Travelers Point DORA:

Beginning at the southern right-of-way at the NW corner of Parcel No. 12-16-07-156-006.001-007 and traveling ENE in the right-of-way along E. Jefferson St. to the SW corner of E. Jefferson St. and N. Clinton St., then traveling SSE in the western right-of-way along N. Clinton St. to the NW corner of N. Clinton St. and E. Madison St., then traveling in the northern right-of-way WSW along E. Madison St. to the SW corner of Parcel No. 12-16-07-156-006.001-007, then traveling along the property line of said parcel to the point of beginning, as shown on attached Exhibit B.

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SECTION 3. Location(s) of Designated Permittees and Proposed Vendors. The Designated Permittees and Vendors, as those terms are defined by Indiana Code §§ 7.1-3-31-2 and -5, respectively, are as follows:

A. Travelers Point DORA

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- Travelers Point Tasting Room, 400 E. Madison St., Suite A, Kirklin, IN 46050, RR1239188

SECTION 4. Signage.

(a) Each Designated Permittee and Vendor shall post at each exit of their respective premises a sign provided by the Town. In addition, the Town shall also ensure signs are posted on all trash receptacles within the DORA, as well as at the locations indicated on the boundary map.

(b) Businesses within the DORA may post additional signage at their respective premises indicating whether the business is participating in the DORA and whether an individual may enter that business with an open container of alcohol.

SECTION 5. Dates and Hours of Operation. The DORA shall only be operational all year, 7 days a week, from 7:00AM to 10:00PM, subject to amendment by the Town Council for special events or circumstances.

SECTION 6. Glass Containers Prohibited. No Designated Permittee or Vendor within the DORA shall permit glass containers to be taken from their licensed premises, as shown on the floor plan approved by the Indiana State Excise Police.

SECTION 7. If any provision in this Ordinance is declared invalid, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 8. Any ordinances or provisions thereof that are inconsistent with this Ordinance are hereby superseded.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and subject to the approval of the Indiana Alcohol & Tobacco Commission.

[Signature Page Follows]

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Introduced and filed on the 14th day of August, 2023.

Duly ordained and passed this 14th day of August, 2023 by the Town Council of the Town of Kirklin, Clinton County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN OF KIRKLIN, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Pat Miller

Jay Ford

Walter Minnick

[Signature]

Chief Bowman

ATTEST:

May King