

ORDINANCE NO. 31, 2023

**AN ORDINANCE ESTABLISHING
A DESIGNATED OUTDOOR REFRESHMENT AREA
(JOURNEYMAN DISTILLERY)**

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 the DORA, whether during regular business hours or as part of a festival or special event.

C. The City of Valparaiso, Indiana (“City”) has supported Journeyman Distillery in its redevelopment of the former Anco industrial site into a distillery/brewery with tasting rooms, event spaces and restaurants.

D. Under current Indiana law, Journeyman patrons cannot move from the restaurant or tasting room to other buildings and/or across the courtyard to the distillery building for a tour with drinks. This creates difficulties in creating a holistic operation for patrons.

E. The City may create a DORA solely on private property for the benefit of one operator.

F. The Common Council of the City of Valparaiso, Indiana (“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 Journeyman DORA is hereby created within the boundaries shown on the map attached hereto as **Exhibit A**, which is consistent with the City’s zoning ordinance. This will be entirely on private property owned by American Factory Building LLC.

SECTION 2. Boundaries of the DORA. The following streets and address constitute the boundaries of the Journeyman DORA:

Beginning at the corner of S. Campbell Street and Boundary Street and heading west to Daly Street, then heading north along Daly Street and extending to the northwest

boundary of the Journeyman Distillery property, then east along the property line to the edge of the parking area, then south to Brown Street, then west to S. Campbell Street, and then south along S. Campbell Street to the point of beginning, which includes the Journeyman Distillery facility at 258 S. Campbell Street., Valparaiso, Indiana.

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:

Journeyman Distillery, LLC, 258 S. Campbell Street, Valparaiso, IN 46383

SECTION 4. Signage. Each Designated Permittee and Vendor shall post at each exit of their respective premises a sign provided by the City. In addition, the City shall also ensure signs are posted on all trash receptacles within the DORA, as well as at the locations indicated on the boundary map. **As a condition of this Ordinance, American Factory Building LLC will provide written acknowledgment that it will be responsible for the placement and maintaining of all signs.**

SECTION 5. Dates and Hours of Operation. The DORA shall only be operational during the following dates and times:

Monday – Thursday, 11:00AM to 11:00PM local time

Friday – Sunday, 10:00A – 1:00A

SECTION 6. Public Safety Plan. In the event of an emergency, as determined by the City Administrator, Chief of Police, or other authorized City or State official, the following public safety plan shall apply:

DORA activities shall be suspended until such time as the City Administrator and/or Chief of Police determine that DORA activities can safely resume.

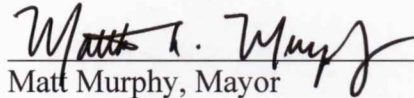
SECTION 7. Upon passage of this Ordinance, a copy shall be provided to a representative of American Factory Building LLC and Journeyman Distillery, LLC. They shall be responsible for coordinating approval with the Indiana Alcohol & Tobacco Commission. They shall also be responsible for payment of any fees.

SECTION 8. If any provision in this Ordinance is declared invalid, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 9. Any ordinances or provisions thereof that are inconsistent with this Ordinance are hereby superseded.

SECTION 10. 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.

PASSED AND ADOPTED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all members present and voting this 11th day of **September**, 2023.


Matt Murphy, Mayor

ATTEST:


Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 11th day of **September**, 2023, at 6:38 o'clock p.m.


Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 11th day of **September**, 2023, at 6:38 o'clock p.m.

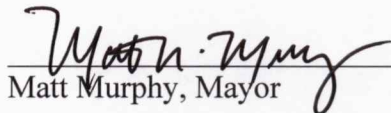

Matt Murphy, Mayor

EXHIBIT A

See Attached

