

ORDINANCE 2024-28

CINDY MURRAY

**AN ORDINANCE ESTABLISHING
THE LAFAYETTE DOWNTOWN DESIGNATED OUTDOOR REFRESHMENT AREA**

WHEREAS, Indiana Code 7.1-3-31 provides the legal framework for the establishment of a Designated Outdoor Refreshment Area (“DORA”) in which retailer permittees (ie. restaurants and businesses that sell alcohol for on-premises consumption) and temporary permittees located within the DORA to allow persons who are at least 21 years of age to leave the licensed premises with open containers of alcoholic beverages and consume those beverages within the boundaries of the DORA;

WHEREAS, recognizing the potential benefits to the community, the Common Council is committed to fostering a vibrant downtown environment by creating a Designated Outdoor Refreshment Area in accordance with Indiana Code 7.1-3-31 *et seq.*;

WHEREAS, to facilitate this initiative, the Common Council desires to establish a Lafayette Downtown Designated Outdoor Refreshment Area as depicted on the attached Exhibit “A”;

NOW, THEREFORE, be it ordained by the Common Council of the City of Lafayette, Indiana, as follows:

1. All definitions in Ind. Code 7.1-3-31 *et seq.* shall apply to this Ordinance.
2. The Common Council hereby adopts the Map of the Lafayette Downtown Designated Outdoor Refreshment Area attached hereto as Exhibit A and incorporated herein by reference.
3. The Lafayette Downtown Designated Outdoor Refreshment Area boundary by address is as follows:

From the intersection of 10th Street and Main Street to the intersection of 11th Street and Main Street, including the City of Lafayette owned parcel at the southeast corner of Main and 11th Street and identified as Tax Parcel No. 79-07-21-362-010.000-004, it encompasses the area bounded by:

- a. The northwest corner at 1000 Main Street
- b. The southwest corner at 1001 Main Street
- c. The northeast corner at 1024 Main Street
- d. The southeast corner at 11th Street and Main Street (no street address assigned) abutting but not including 1107 Main Street.

This includes all addresses within this boundary and those in between.

4. The Common Council hereby finds that the Downtown Designated Outdoor Refreshment Area is consistent with the City of Lafayette's zoning code.

5. The City of Lafayette Downtown Designated Outdoor Refreshment Area shall be in effect for the following days and times:

Thursday	5:00 PM – 10:00 PM
Friday	5:00 PM – 11:00 PM
Saturday	5:00 PM – 11:00 PM
Sunday	5:00 PM – 10:00 PM

The City reserves the right to suspend the operation of Designated Permittees within the Lafayette Downtown Designated Outdoor Refreshment Area during special events, including, but not limited to, the Christmas Parade and Mosey Down Main Street. The City shall notify Designated Permittees of said special events as they are approved by the City.

6. The City finds each of the following retailers are an appropriate Designated Permittee and requests the Indiana Alcohol Commission to issue each a "Refreshment Area Designated" upon submission of their completed application to the City to participate in the Area as Designated Permittee:

- a. East End Hospitality LLC d/b/a East End Grill
- b. Small Bowl, Inc d/b/a Ripple & Company
- c. 2 Cellar Girls, LLC d/b/a The Cellar Wine Bistro

Any additional licensed premises located within the Lafayette Downtown Refreshment Area who desire to be designated as a "Designated Permittee" and granted a "Refreshment Area Designated" shall submit a Designated Outdoor Refreshment Area Designation application to the City for approval.

7. Nothing in this Ordinance prohibits a business, landlord, or other establishment from prohibiting open containers of alcoholic beverages to enter their premises or from prohibiting alcoholic beverages purchased from another establishment to enter their premises.

8. The Common Council hereby approves and adopts the minimum signage designating the Lafayette Downtown Designated Outdoor Refreshment Area attached hereto as Exhibit B and incorporated herein by reference and directs the City to place the signage at the designated locations in Exhibit A.

9. A sign as required by Ind. Code 7.1-3-31-16 must be posted at each exit of a Designated Permittee.

10. In accordance with 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 refreshment

area boundaries, subject to the right of any retailer permittee or business with an alcoholic beverage.

11. All Designated Permittees may allow a person to exit the designated permittees premises with not more than two (2) open containers of an alcoholic beverage at a time. The contents of an open container may not exceed the following:

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

12. Glass containers may only be allowed in a Designated Permittee's outdoor dining area and may not be removed into the Lafayette Downtown Designated Outdoor Refreshment Area.

13. This Ordinance shall be in full force and effect upon its passage, approval, and publication pursuant to Indiana law.


ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this 3 day of June, 2024.


STEPHEN SNYDER, President

ATTEST:


CINDY MURRAY, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on this 3 day of June, 2024.


CINDY MURRAY, City Clerk

This Ordinance approved and signed by me on this 3 day of June, 2024.

Tony Roswarski
TONY ROSWARSKI, Mayor

ATTEST:

Cindy Murray
CINDY MURRAY, City Clerk

Sponsored by: Mayor Tony Roswarski