

## TOWN OF KIRKLIN

ORDINANCE NO. 2025-4-1

### 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 Kirklin (“Town”) has a growing number of restaurants and local businesses that would benefit from the creation of DORAs.
- D. The Town Council of Kirklin (“Council”) previously established the Travelers Point DORA.
- E. The Council desires to establish an additional 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 “Kirklin Downtown DORA” is hereby created within the boundaries shown on the map attached hereto as Exhibit A, which is consistent with the Town’s zoning ordinance.

SECTION 2. Boundaries of the Kirklin Downtown DORA. The following streets and addresses constitute the boundaries of the Kirklin Downtown DORA:

Beginning at the NW corner of 109 N. Main Street and traveling ENE along the property line to the NE corner of the building, then SSE along the building to the intersection with Parcel No. 12-15-12-290-006.000-007, then ENE along the property line to the intersection with the alley, then SSE along the western boundary of the alley to the SE corner of Parcel No. 12-15-12-290-007.000-007, then WSW along the property line to the intersection with

N. Main Street, then NNW to the point of beginning (including the sidewalk), as shown on attached Exhibit A.

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. Kirklin Downtown DORA

- Booker's Bar and Grill, 109 N. Main St., Kirklin, IN 46050, RR1239194

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 DORAs, as well as at the locations indicated on the boundary map.

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

SECTION 5. Dates and Hours of Operation. The DORAs 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]

Ordinance No.

Introduced and filed on the 14<sup>th</sup> day of April, 2025.

Duly ordained and passed this 14<sup>th</sup> day of April, 2025 by the Town Council of the Town of Kirklin, Clinton County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

TOWN OF KIRKLIN, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

[Signature]

[Signature]

Walt Minnick

[Signature]

\_\_\_\_\_

Voting Opposed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

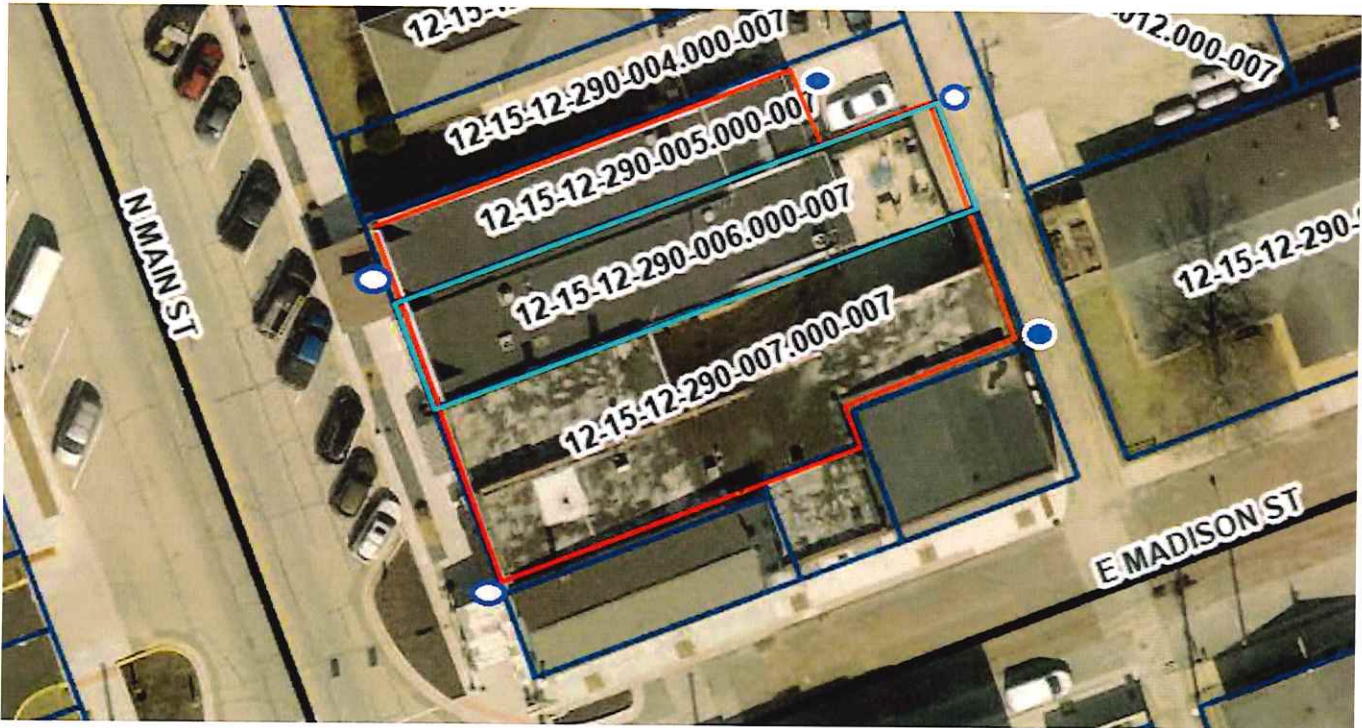
ATTEST:

[Signature]



EXHIBIT A

Kirklin Downtown DORA



Red: DORA Boundaries

Blue Ovals: Sign Locations