**ORDINANCE NO. 2025/30**

**ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA**

**WITHIN THE CITY OF GREENFIELD, INDIANA**

 **WHEREAS,** the General Assembly of Indiana has allowed the creation of Designated Outdoor Refreshment Area(s) (DORA); and

 **WHEREAS,** the City of Greenfield, Indiana has a lively downtown scene with festivals, concerts, events, shopping options, and restaurants; and

 **WHEREAS,** the City of Greenfield, Indiana determined that it is in the best interest of the City of Greenfield, Indiana to encourage a more inviting atmosphere; and

 **WHEREAS,** the City of Greenfield, Indiana wishes to encourage growth and economic prosperity in its downtown and in other areas of the City; and

 **WHEREAS,** the Common Council of the City of Greenfield, Indiana has control of the DORA perimeter, signage, operations, and requirements of participants; and

 **WHEREAS,** the Common Council of the City of Greenfield, Indiana now determines it to be in the best interest to create a DORA in parts of Greenfield, Indiana.

 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA:**

**SECTION I**

 That the following described area will be the boundaries of the DORA and the interior space created will be considered the DORA within the City of Greenfield, Indiana, to-wit:

Map is attached as Exhibit A

**SECTION II**

 Businesses, persons, entities, or organizations which are located within a DORA wishing to continually participate by selling or distributing alcoholic beverages shall be required to complete and submit an application and pay all required costs and/or fees, if any so required, to Greenfield Main Street, Inc. in order to participate in a DORA as a “Designated Permit T”, as defined in I.C. 7.1-3-31 et seq. Once approved by Greenfield Main Street, Inc., application shall be sent to the Alcohol and Tobacco Commission for said Commission’s approval. Those businesses, persons, entities, or organizations that have completed an application are listed on Exhibit B and their location is identified on Exhibit B.

**SECTION III**

 When a temporary vendor has petitioned the state of Indiana for an event, there are designated locations where they may set up. Those areas have also been depicted on Exhibit A as temporary vendor location(s). Temporary vendors will identify said location(s) upon their request per state requirements.

**SECTION IV**

 This Ordinance is consistent with the City’s zoning ordinance and comprehensive plan.

**SECTION V**

 The City of Greenfield, Indiana hereby delegates to Greenfield Main Street, Inc. the obligation and authority to establish a brand and guidelines for signage for the DORA subject to approval by the Greenfield Common Council. Only signage authorized by the Greenfield Common Council may be used for DORA purposes. Any signage using the DORA logo or language must include approval of the Greenfield Common Council and carry its current logo or approval stamp.

**SECTION VI**

 The aforementioned signage will be posted at locations approved by the Greenfield Board of Public Works and Safety and will, at a minimum, be posted at the boundaries of the DORA.

 Locations include, but are not limited to:

 1) Intersections on the boundary.

 2) Major sidewalks along the boundary.

 3) Potential points of gathering near the boundary.

 4) Area of Congregation.

 5) Where appropriate to confer the message.

 Signage will be of similar material as street signs and be approximately 18” square.

 At least 50 signs will be placed along the perimeter of the DORA.

**SECTION VII**

 Hours of operation of the DORA are limited to 12:00 noon until 10:00 p.m., Monday through Thursday and 10:00 a.m. to 11:00 p.m. for Friday, Saturday, and Sunday. The DORA will remain available, seven days a week, 365 days a year, as long as is permitted by I.C. 7.1-3-1-14.

**SECTION VIII**

 The posting of signs by retailer permittees and other businesses in the DORA indicating whether the business is participating in the DORA and whether a person may enter the business with an open container of alcohol is optional.

 A retailer permittee or other business located in a DORA may, on a nondiscriminatory basis, refuse to allow persons to enter their licensed premises or business with an alcoholic beverage.

 All signage allowing or preventing open containers or alcohol must be in accordance with Section V.

**SECTION IX**

Designated Permittees and vendors shall use only non-breakable containers, including, but not limited to, plastic bottles, aluminum cans or bottles, plastic cups, or paper cups for alcoholic beverages sold to be consumed in the DORA. No glass containers are allowed to be carried into the DORA.

A Designated Permittee or a vendor may allow a person to exit their premises into the DORA with not more than two (2) open alcoholic beverages. The maximum fill limits for an alcoholic beverage being sold for consumption within a DORA are as follows:

1) Beer or flavored malt beverages: up to sixteen (16) ounces.

2) Wine, cider, or a premixed cocktail: up to twelve (12) ounces.

3) Liquor or a liquor-based cocktail: up to ten (10) ounces, including up to two (2) ounces of liquor.

A person may not consume an alcoholic beverage in public areas of the DORA that was purchased outside of the DORA.

 Designated Permittees and temporary vendors remain responsible for enforcement of the volumes served and to ensure compliance with state law and regulations of their permits.

**SECTION X**

 The carryout privileges that a Designated Permittee may have in their scope of permit is not impacted by being located within a DORA. Carryout of sealed original containers may occur, but these containers shall not be opened or consumed in the DORA.

**SECTION XI**

 Following ATC approval of the DORA, a retailer permittee operating in the DORA who wishes to receive a Designated Permittee status must complete the applicable form and obtain approval by signature from the relevant authority of Greenfield Main Street, Inc. Once signed, the form may be submitted to the ATC as part of the retailer’s application process.

**SECTION XII**

 A person may apply to the relevant Indiana State Excise Police (Excise) district office for a temporary beer and wine permit for operation in the DORA to the same extent that they would otherwise be eligible. Additionally, a retailer permittee with catering privileges may serve in a DORA under its catering permit by following normal procedures and submitting a catering authority request form for approval. In each case, prior to submitting the temporary application or seeking catering approval, the person must complete the designation form seeking Vendor status and obtain approval in writing from the relevant authority, Greenfield Main Street, Inc. When submitting a temporary permit application to the Excise district office, please include a copy of the DORA map (which shall include the vendor areas designated by the municipality in this ordinance) and indicate on the map the location where the vendor will operate.

**SECTION XIII**

 The City of Greenfield, Indiana appoints Greenfield Main Street, Inc. to oversee the installation and maintenance of all signage approved by the Greenfield Common Council and allows Greenfield Main Street, Inc. to charge a reasonable fee associated with items carried into the DORA. The fee is to be used to cover costs associated with DORA signage, after the initial production of sixty-five (65) signs, the cost of which shall be paid by the City of Greenfield, Indiana in addition to all expenses incurred associated with public safety, sanitation, special events, improvements and operations of the district. The fee for logo affixation is not required for products consumed in private spaces inside the DORA, only for items carried into the DORA.

**SECTION XIV**

 This Ordinance shall be in full force and effect from and after its passage, execution by the Mayor, and publication as prescribed by law.

**SECTION V**

 Introduced and filed on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of \_\_\_\_ in favor and **\_\_\_\_\_** opposed pursuant to I.C. 36-5-2-9.8. On the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025, a motion to approve the above on second reading was offered and sustained by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8. Upon a motion to approve the above on third reading was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8.

 Duly ordained and passed this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025 by the Common Council of the City of Greenfield, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_\_\_\_\_ opposed.

**COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA**

Voting Affirmative: Voting Opposed:

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John Jester John Jester

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Amy Kirkpatrick Amy Kirkpatrick

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Jeff Lowder Jeff Lowder

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Thomas Moore Thomas Moore

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Joyce Plisinski Joyce Plisinski

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Dan Riley Dan Riley

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Anthony Scott Anthony Scott

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lori Elmore, Clerk-Treasurer

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lori Elmore, Clerk-Treasurer

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Guy Titus, Mayor

 City of Greenfield, Indiana

Gregg\MUNICIPAL\Greenfield\Ordinances\DORA – 07-07-25

**LIST OF BUSINESS THAT HAVE COMPLETED**

**THEIR STATE OF INDIANA APPLICATION**

The Wooden Bear Brewing Co. at 21 W. North St., Greenfield, IN

Griggsby’s Station at 101 W. Main St., Greenfield, IN

Lincoln Square Pancake House at 118 W. Main St., Greenfield, IN

Smash’d Burger Bar at 5 American Legion Place, Greenfield, IN

The Depot at 240 W. Mill St., Greenfield, IN

Los Vaqueros Mexican Restaurant at 301 E. Main St., Greenfield, IN

**EXHIBIT B**