



STATE OF INDIANA
ALCOHOL AND TOBACCO COMMISSION

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Indiana Alcohol and Tobacco PACE Program
Proactive Alcohol Compliance Enforcement

Objective: While the ATC recognizes that the vast majority of alcohol permittees in the state are law-abiding businesses who are compliant with the rules and regulations set out in Indiana Code Title 7.1, there are a number of businesses that are not compliant and continue to operate business models that attract clientele who engage in disruptive, violent and/or criminal behavior, regularly allow or promote over consumption of alcohol, are disrespectful to the peace and quietude of the surrounding community and, as a result, have become public nuisances.

In that the Indiana State Excise Police and local law enforcement across the state have limited resources, this project is an attempt to coordinate and focus limited excise and local law enforcement resources on alcohol permitted premises that have become and should be designated a public nuisance.

Goals:

- To achieve compliance with Title 7.1 laws and regulations
- To assist local law enforcement in managing and dealing with “problem bars” within their jurisdiction.
- To provide notice and a reasonable opportunity to conform to “problem bar” designees.
- To provide education and assistance to “problem bar” designees in achieving compliance with alcohol laws and regulations.
- To impose graduated sanctions ranging from fines, intermittent suspension, up to and including revocation of the alcohol license for those “problems bars” that are unable or unwilling to make suitable corrective actions.

Examples of Factors to be Considered:

- Repeat Violations of the same category – a history of repeat violations of the same or similar nature during a renewal period.
 - 2 or more violations of the same type in a calendar year or 3 during a renewal period.
- Repeated or on-going violations of serving to minors or failure to make adequate identification checks at any time during a renewal period.
 - 2 or more violations at any time during the renewal period
- Record of continuous police runs disproportionate to similar local businesses during a renewal period.
- Nature of police runs focusing on violent or criminal behavior at any time during a renewal period which includes but are not limited to the following;
- Drug possession, use or sales in/on the permitted premises including the parking lot.
- Fighting in/on the permitted premises including the parking lot.
- Possession, use, display or discharge of firearms or other deadly weapons in/on the permitted premises including the parking lot.
- Documented evidence of repeated instances of over-service at any time during a renewal period.
 - 2 or more police runs for “intoxicated person” or other equivalent designation in a calendar year or 3 within a renewal period.
- Documentation evidencing DUI arrests traceable back to over-service at the permitted premises at any time during a renewal period
- Documented community complaints relating to disruptive behavior that has a negative impact on the peace and quietude of the surrounding community during a renewal period. Examples of prohibited behavior includes but is not limited to the following;
 - Urinating in public and/or other public displays of nudity or indecent exposure.
 - Loud and/or obnoxious behavior that disturbs the peace of quietude of neighboring properties.
 - Regular gatherings of 2 or more patrons in parking lot or other public areas associated with the permit premises for the purposes of consuming alcohol, partying, the illegal use of drugs and/or fighting.