

Ordinance No.5-2025

**AN ORDINANCE OF THE CITY OF GAS CITY, INDIANA,
ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA**

WHEREAS, Indiana Code 7.1-3-31 authorizes the establishment of a Designated Outdoor Refreshment Area (DORA); and

WHEREAS, the City of Gas City (the “City” or “Gas City”) wishes to encourage growth and economic prosperity in various areas of the city, and;

WHEREAS, the Common Council (the “Council”) of the City of Gas City, Indiana deems it desirable and in the best interest of the City to provide and establish a PAC DORA;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Gas City, Indiana, as follows:

1. All definitions in IC 7.1-3-31 *et seq* shall apply to this Ordinance.
2. The Council hereby adopts the Map of the City of Gas City PAC DORA Area attached hereto as Exhibit “A” and incorporated herein by reference.
3. The following area is designated as the City of Gas City PAC DORA Area:

Beginning at the intersection of the south Right-of-Way line of Main Street (SR 22/US 35) and the east Right-of-Way line of South 10th Street; thence east to the south Right-of-Way line of Olynger Road; thence west to the east Right-of-Way line of South 10th Street; thence north to the south Right-of-Way line of Main Street (SR 22/US 35).

Except all residential properties are excluded.

4. The Gas City PAC DORA boundary streets are as follows:
 - a. To the North and East, US 35 / SR 22
 - b. To the South, Olynger Road
 - c. To the West, 10th Street
5. The Council finds that the Gas City PAC DORA is consistent with the City’s Zoning Code.
6. The Council hereby approves and adopts the minimum signage designating the City of Gas City PAC DORA Area attached hereto as Exhibit “B” and incorporated herein by reference and directs the City to place the signage at the designated locations on Exhibit “A”.
7. The Council recognizes that additional signage designating the City of Gas City PAC DORA Area may be warranted and necessary, and Exhibit “A” and Exhibit “B” are only minimum standards and therefore, the City’s Board of Public Works & Safety is hereby

authorized and granted full authority to increase the number or change the type of signage subject to the standards set forth in the effective zoning ordinance.

8. The City of Gas City PAC DORA shall be in effect during all authorized times pursuant to IC 7.1-3-1-14 as amended from time to time by the Indiana General Assembly.
9. The following retailer permittees have submitted a completed application to the City to participate in the Area as a Designated Permittee and the City finds that each of them is an appropriate Designated Permittee and requests the Indiana Alcohol Commission to issue each a "Refreshment Area Designation":
 - a. Gas City Performing Arts Center, 100 Auditorium Blvd, Gas City, Indiana 46933
 - b. Mississinewa Cigar Company, 1038 E Main Street, Gas City, Indiana 46933

Any additional licensed premises located within the PAC DORA who desires to be designated as a "Designated Permittee" and granted a "Refreshment Area Designation" shall submit an application to the City for approval and recommendation by the Council by Resolution.

10. The locations of the "Designated Permittees" identified in Paragraph 9 have been identified on Exhibit "A".
11. The City of Gas City Board of Public Works & Safety has adopted the City of Gas City Special Event Permit Application which is incorporated by reference as Exhibit "C". A Special Event Permit Application, including the Exhibit 1 "State Form Designated Outdoor Refreshment Area Designation Form" shall be submitted to the City of Gas City Planning & Zoning Department for approval by the Board of Public Works & Safety prior to:
 - a. A "Designated Permittee" expanding their operations into the Area outside of the designated outdoor patio area;
 - b. An "Approved Vendor" either by this Ordinance or by future Resolution, requesting a temporary permit to serve in the Area;
 - c. Any Organization holding a special event in the Area with a Vendor requesting a temporary permit to serve.
12. A Vendor's location may be at any designated area within the PAC DORA Area as shown on Exhibit "A", subject to approval of the Special Event Permit and State Form by the City of Gas City Board of Public Works & Safety, and issuance of the appropriate permit by the Indiana Alcohol and Tobacco Commission.
13. Business Participation:
 - a. 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. Any such establishment shall post a conspicuous notice of such prohibition at the entrances to such establishment.

Introduced on 3-4, 2025, and adopted by the Common Council of the City of Gas City, Indiana, on 3-18, 2025, by a vote of 4 in favor and 0 against.

COMMON COUNCIL OF THE CITY
OF GAS CITY, INDIANA



, President

This Ordinance is approved and signed by me, the Mayor of the City of Gas City, Indiana, on this 18th day of March, 2025, at the hour of 6:30 pm.



Mayor Bill Rock, Jr.

ATTEST:



Karen Wood, Clerk-Treasurer
City of Gas City, Indiana

This Ordinance prepared by:
David Glickfield
Glickfield & Meeks
101 East 3rd Street
Marion, Indiana 46952



DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) DESIGNATION

State Form 57288 (6-23)

INDIANA ALCOHOL AND TOBACCO COMMISSION

302 West Washington Street, Room E-114

Indianapolis, IN 46204

(317) 232-2430

<http://www.in.gov/atc>

- INSTRUCTIONS:**
1. Please type or print clearly.
 2. There is no charge or fee to be designated as part of a designated outdoor refreshment area (DORA).
 3. If you already hold a retail permit within a DORA and are requesting a DORA permittee designation, please complete Sections 1, 3, and 4 below.
 4. If you will be obtaining a temporary beer and wine permit, requesting supplemental catering authority, or are a craft manufacturer requesting to operate within a DORA on a temporary basis, please complete Sections 2, 3, and 4 below.

SECTION 1: RETAIL PERMITTEES

| | | |
|--|---|--|
| Permittee name (as printed on permit) Mississinewa Cigar Company LLC | | Permittee number RR2736893 |
| Doing business as (d/b/a) Mississinewa Cigar Company | | Permit expiration date (mm/dd/yyyy) 11/13/2025 |
| Permit address (number and street, city, state, and ZIP code) 1038 E Main St, Gas City IN 46933 | | |
| Name of person making application Dennis Roach | Telephone number 765-673-4268 | E-mail address info@olemisscigars.com |
| Has the DORA already been approved by the ATC? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | DORA Reference Number (approved DORAs only) |

SECTION 2: TEMPORARY VENDORS, SUPPLEMENTAL CATERERS & CRAFT MANUFACTURERS

Please select one:
 Temporary beer and wine permit
 Supplemental catering permit
 Craft manufacturer (artisan distiller, farm winery, small brewer)

| | | |
|--|---|-----------------------|
| Permittee name | Permit number (catering and manufacturing permits only) | |
| Doing business as (d/b/a) | Permit expiration date (mm/dd/yyyy) (catering and manufacturing permits only) | |
| Address (number and street, city, state, or ZIP code) or description of designated vendor/caterer area | | |
| Name of person making application | Telephone number | E-mail address |
| DORA Reference Number | Start date (mm/dd/yyyy) | End date (mm/dd/yyyy) |

SECTION 3: LOCAL JURISDICTION APPROVAL

| | |
|--|--|
| Printed name of city or town official William Rock | Date (mm/dd/yyyy) 06/02/2025 |
| Signature | Title Mayor |

SECTION 4: CERTIFICATION AND SIGNATURE

I hereby certify that I have reviewed this application form prior to signing, and that all information provided herein is true and correct. I acknowledge and understand that it is a felony under Indiana law to misrepresent or falsify any portion of this application or attached documents.

| | |
|--|--|
| Printed name of applicant Dennis Roach | Date (mm/dd/yyyy) 06/02/2025 |
| Signature | Title Managing Member |



**DESIGNATED OUTDOOR REFRESHMENT
AREA (DORA) DESIGNATION**

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SECTION 1: RETAIL PERMITTEES

| | | |
|--|---|---|
| Permittee name (as printed on permit) DLS Events, LLC | | Permittee number RR2741623 |
| Doing business as (d/b/a) d/b/a Gas City Performing Arts Center | | Permit expiration date (mm/dd/yyyy) 9/17/2025 |
| Permit address (number and street, city, state, and ZIP code) 100 Auditorium Dr. Gas City IN 46933 | | |
| Name of person making application David Solomon | Telephone number 213-389-3472 | E-mail address permits@dlsevents.com |
| Has the DORA already been approved by the ATC? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | DORA Reference Number (approved DORAs only) |

SECTION 2: TEMPORARY VENDORS, SUPPLEMENTAL CATERERS & CRAFT MANUFACTURERS

Please select one:
 Temporary beer and wine permit
 Supplemental catering permit
 Craft manufacturer (artisan distiller, farm winery, small brewer)

| | | |
|--|---|-----------------------|
| Permittee name | Permit number (catering and manufacturing permits only) | |
| Doing business as (d/b/a) | Permit expiration date (mm/dd/yyyy) (catering and manufacturing permits only) | |
| Address (number and street, city, state, or ZIP code) or description of designated vendor/caterer area | | |
| Name of person making application | Telephone number | E-mail address |
| DORA Reference Number | Start date (mm/dd/yyyy) | End date (mm/dd/yyyy) |

SECTION 3: LOCAL JURISDICTION APPROVAL

| | |
|---|------------------------------------|
| Printed name of city or town official Bill Rock Jr. | Date (mm/dd/yyyy) 6-3-25 |
| Signature | Title Mayor |

SECTION 4: CERTIFICATION AND SIGNATURE

I hereby certify that I have reviewed this application form prior to signing, and that all information provided herein is true and correct. I acknowledge and understand that it is a felony under Indiana law to misrepresent or falsify any portion of this application or attached documents.

| | |
|---|--------------------------------------|
| Printed name of applicant David Solomon | Date (mm/dd/yyyy) 6/3/2025 |
| Signature | Title Managing Member |

Exhibit "A" - Gas City PAC DORA Area

