

ORDINANCE 2023-38

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LOGANSPORT,
INDIANA, ESTABLISHING A DOWNTOWN DESIGNATED OUTDOOR
REFRESHMENT AREA**

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

WHEREAS, the Common Council believes it is in the best interests of the City to create a Designated Outdoor Refreshment Area in the City's downtown, as authorized by Indiana Code 7.1-3-31 et seq, which Area is shown on the attached Map- Exhibit A;

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Logansport, 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 City of Logansport Downtown Designated Outdoor Refreshment Area attached hereto as Exhibit A and incorporated herein by reference;
3. That the following area is designated as the Logansport Downtown Designated Outdoor Refreshment Area:

Point of beginning is the southwest corner of Market and 3rd St then heads south to the north bank of the Wabash River east to Wabash Ave running north on the east side to Melbourne Ave. then runs on the southside of Melbourne Ave. east to the alley between 5th St. and Elm St. heads north to 547 Erie Ave. where it follows the southern property line east then the eastern property line north then the north property line west to include 547 Erie Ave. the boundary continues west on the south side of Erie Ave. to 6th St. then runs north on the east side of 6th St. to Broadway then heads east on the south side of Broadway until the alley between 6th and 7th St. then heads north along said alley north to High St. then heads east on the south side of High St. to 11th St then heads north on the east side of 11th St to Dentzel Dr. the heads east on the south side of the road to the alley just east of 11th then heads north and follows the eastern property line of 1100 Riverside Drive to the south bank of the Eel River then heads west along the south bank of the Eel River to the west property line of 27 S 3rd St. south to Eel River Ave. west along the south side of Eel River Ave. to the alley between 2nd and 3rd St. then heads south to Market St. heading east on the south side of Market to the point of beginning.

4. The Logansport Downtown Designated Outdoor Refreshment Area boundary by address are provided in Exhibit B.
5. The Common Council finds that the Logansport Downtown Designated Outdoor Refreshment Area is consistent with the City of Logansport's Zoning Districts.
6. The Common Council hereby approves and adopts the minimum signage designating the City of Logansport Downtown Designated Outdoor Refreshment Area attached hereto as Exhibit C and incorporated herein by reference and directs the City to place the signage at the designated locations on Exhibit D;
7. The Common Council recognizes that additional signage designating the City of Logansport Downtown Designated Outdoor Refreshment Area may be warranted and necessary, Exhibit C and D are only minimum standards and therefore the City of Logansport Board of Public Works and Safety is hereby authorized and granted full authority to increase the number or change the type of signage in their sole discretion;
8. Dates and Hours of Operation:
The City of Logansport Downtown Designated Outdoor Refreshment Area shall be in effect daily from 11am to midnight (12am) which meets Ind. Code 7.1-3-1-14.
9. The following retailer permittees have submitted a completed the "State Form Designated Outdoor Refreshment Area Designation Form" 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" as Designated on Exhibit D in red:
 - a. Bonus Pints 430 E Broadway
 - b. U-Know Pizza 516 E Broadway
 - c. Renne Wa 219 6th St.
 - d. La Fiesta 524 North St.
 - e. Black Dog 116 6th St.
 - f. Science Project 611 North St.
 - g. The Avenue 547 Erie Ave.
 - h. RiverView 27 S 3rd St.
10. Any additional licensed premises located within the Downtown Designated Refreshment Area who desires to be designated as "Designated Permittee" within a "refreshment area designation" shall submit the "State Form Designated Outdoor Refreshment Area Designation Form" to the City Clerk-Treasurer's Office to be approved by the Board of Public Works and Safety.
11. The City of Logansport Board of Public Works and Safety may approve a City of Logansport Special Event Permit, as attached hereto and incorporated herein by reference as Exhibit E. A Special Event Permit Application, including the Exhibit F "State Form Designated Outdoor Refreshment Area Designation Form" shall be

submitted to the Clerk-Treasurer's Office to be approved by the Board of Public Works and Safety prior to:

- a. A Designated Permittee expanding their operations into the Area outside of their designated outdoor patio area;
 - b. An Approved Vendor, either by this Ordinance or 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. Any establishments that desires to be a "vendor" for the Downtown Designated Refreshment Area shall submit a Logansport Special Event Permit with the "State Form Designated Outdoor Refreshment Area Designation Form" to the Clerk-Treasurer's Office to be approved by the Board of Public Works and Safety. The approved Vendor Locations for Special Events are located on Exhibit D in yellow.
- i. City Center Parking Lot
 - ii. Security Federal
 - iii. Historical Society Parking Lot
 - iv State Theater
 - v Farmers Market, Urban Park, Little Turtle Waterway, and Heritage Park
13. Vendor's location may be at any or all of the designated areas within the Downtown Designated Outdoor Refreshment Area as shown on Exhibit A, subject to approval of the Special Event Permit and State Form by the Board of Public Works and Safety.
14. 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.
 - b. The City of Logansport maintains full authority and control over the sidewalks and common area and no one may prohibit or limit open containers in accordance with Ind. Code 7.1-3-31 within the Designated Outdoor Refreshment Area in those spaces except for the City of Logansport Police Department.
15. Upon receipt of "refreshment area designation" from the Indiana Alcohol Commission the Designated Permittee as defined by Ind. Code may remove all stanchions, fencing, or other means of separation previously required by law from all common areas, sidewalks, and right of way of the City of Logansport as provided by Ind. Code 7.1-3-31-15.
16. In accordance with Ind. Code 7.1-3-31 *et seq.*
- a. 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 within the refreshment area to refuse

to allow individuals to enter the licensed premises or business with an alcoholic beverage.

b. All Designated Permittees and Vendors may allow a person to exit the designated permittee's or vendor's licensed 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:

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

17. A sign, as required by Ind. Code 7.1-3-31-16, and attached hereto as Exhibit C must be posted at each exit of a Designated Permittee and on the licensed premises of a Vendor.

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

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

ALL OF WHICH IS ORDAINED by the Common Council of Logansport, Indiana, this _____ day of _____, 2024.

Passed by the Common Council of the City of Logansport, Indiana, on the first reading this 4th day of December, 2024.

VOTE: Ayes 5 Nays 0 Abstain 0

Passed by the Common Council of the City of Logansport, Indiana, on the second reading this 5 day of February, 2024.

VOTE: Ayes 6 Nays 1 Abstain _____

VOTE: Ayes _____ Nays _____

MAYORAL APPROVAL:


Chris Martin, Mayor

ATTEST:



Tyler Pearson, Clerk-Treasurer

Exhibit A



The highlighted area encompasses Downtown Logansport's Designated Outdoor Refreshment Area (DORA).

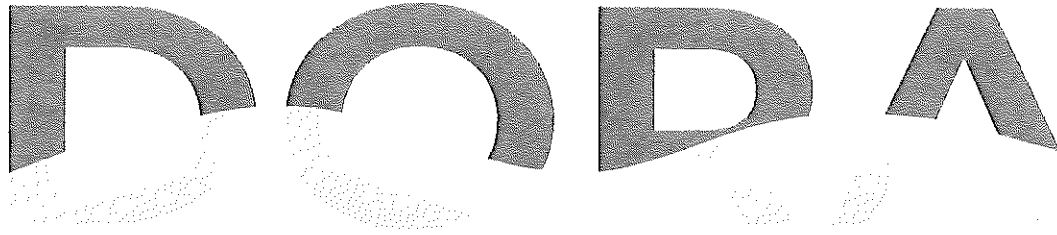
Any open alcoholic beverage containers purchased within the refreshment area must remain within the refreshment area.

Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under IC 9-30-15.

Downtown Logansport's DORA is open daily from 11 a.m. to midnight (12 a.m.)

Exhibit B

1002 HIGH ST	LOGANSPORT IN 46947	547 ERIE AVE	LOGANSPORT IN 46947	900 HIGH ST	LOGANSPORT IN 46947
1010 HIGH ST	LOGANSPORT IN 46947	600 E BROADWAY	LOGANSPORT IN 46947	906 HIGH ST	LOGANSPORT IN 46947
1012 1014 HIGH ST	LOGANSPORT IN 46947	604 E BROADWAY	LOGANSPORT IN 46947	91 11TH ST	LOGANSPORT IN 46947
1015 RIVERSIDE DR	LOGANSPORT IN 46947	608 E BROADWAY	LOGANSPORT IN 46947	916 HIGH ST	LOGANSPORT IN 46947
1100 RIVERSIDE DRIVE	LOGANSPORT IN 46947	608 NORTH ST	LOGANSPORT IN 46947	918 HIGH ST	LOGANSPORT IN 46947
112 S 6TH ST	LOGANSPORT IN 46947	610 E BROADWAY	LOGANSPORT IN 46947	922 HIGH ST	LOGANSPORT IN 46947
211 S 3RD ST	LOGANSPORT IN 46947	611 NORTH ST	LOGANSPORT IN 46947	928 HIGH ST	LOGANSPORT IN 46947
216 E MARKET ST	LOGANSPORT IN 46947	612 NORTH ST	LOGANSPORT IN 46947		
217 S 3RD ST	LOGANSPORT IN 46947	612 RACE ST	LOGANSPORT IN 46947		
218 E MARKET ST	LOGANSPORT IN 46947	615 NORTH ST	LOGANSPORT IN 46947		
220 E MARKET ST	LOGANSPORT IN 46947	630 HIGH ST	LOGANSPORT IN 46947		
222 E MARKET ST	LOGANSPORT IN 46947	636 BRINGHURST	LOGANSPORT IN 46947		
224 E MARKET ST	LOGANSPORT IN 46947	212 6TH ST REAR	LOGANSPORT IN 46947		
227 EEL RIVER AVE	LOGANSPORT IN 46947	702 -04 HIGH ST	LOGANSPORT IN 46947		
229 NORTH ST	LOGANSPORT IN 46947	702 -704 BRINGHURST	LOGANSPORT IN 46947		
230 E BROADWAY	LOGANSPORT IN 46947	706 HIGH ST	LOGANSPORT IN 46947		
27 S 3RD ST	LOGANSPORT IN 46947	708 HIGH ST	LOGANSPORT IN 46947		
404 HIGH ST	LOGANSPORT IN 46947	712 HIGH ST	LOGANSPORT IN 46947		
		716 -718 BRINGHURST			
410 3RD ST	LOGANSPORT IN 46947	ST	LOGANSPORT IN 46947		
412 416 HIGH ST	LOGANSPORT IN 46947	716 HIGH ST	LOGANSPORT IN 46947		
414 S 3RD ST	LOGANSPORT IN 46947	722 BRINGHURST ST	LOGANSPORT IN 46947		
416 3RD ST	LOGANSPORT IN 46947	722 HIGH ST	LOGANSPORT IN 46947		
430 S 5TH ST	LOGANSPORT IN 46947	724 HIGH ST	LOGANSPORT IN 46947		
520 HIGH ST	LOGANSPORT IN 46947	728 HIGH STREET	LOGANSPORT IN 46947		
523 ERIE AVE	LOGANSPORT IN 46947	802 HIGH ST	LOGANSPORT IN 46947		
525 E BROADWAY	LOGANSPORT IN 46947	808 HIGH ST	LOGANSPORT IN 46947		
525 ERIE AVE	LOGANSPORT IN 46947	812 HIGH ST	LOGANSPORT IN 46947		
529 E MARKET ST	LOGANSPORT IN 46947	818 HIGH ST	LOGANSPORT IN 46947		
530 E BROADWAY	LOGANSPORT IN 46947	824 HIGH ST	LOGANSPORT IN 46947		
530 E MARKET ST	LOGANSPORT IN 46947	830 HIGH ST	LOGANSPORT IN 46947		



Designated Outdoor Refreshment Area

LOGANSPORT

Welcome to Downtown Logansport's Designated Outdoor Refreshment Area (DORA).

Any open alcoholic beverage containers purchased within the refreshment area must remain within the refreshment area.

Possessing an open container of alcoholic beverages in a motor vehicle may constitute a Class C infraction under IC 9-30-15.

**QR CODE
TO MAP**

Downtown Logansport's DORA is open daily from 11 a.m. to midnight (12 a.m.)

Exhibit D

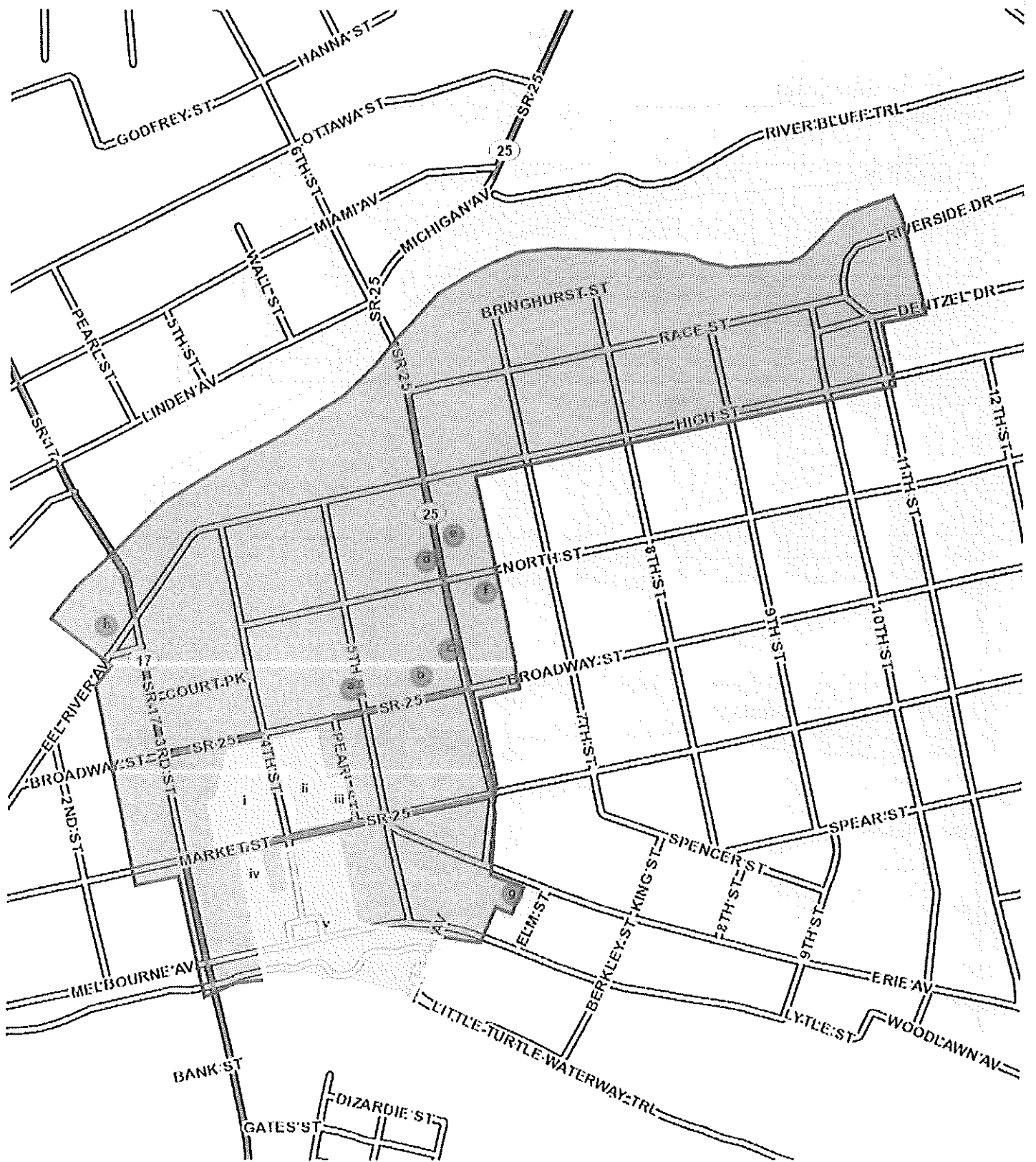


Exhibit E

DOWNTOWN SPECIAL EVENT PERMIT APPLICATION

601 E. Broadway
Logansport, IN 46947
P. 574 753-2551

EVENT INFORMATION

Event Name:		Event Location:	
Event Start Date:	Event Start Time:	Event Finish Date:	Event Finish Time:
Set-Up Date:	Set-Up Time:	Clean-Up Date:	Clean-Up Time:

Event Website Address (if applicable):
--

Brief Description of the Event (attach flier if necessary):

Is this an annual event? (Yes/No):	Date(s) of Event for Next Year:
------------------------------------	---------------------------------

EVENT SPONSOR INFORMATION

Organization Sponsoring Event:	Contact Person:
Phone Number:	Email Address:
Address:	City/Town:
State:	ZIP Code:

DESIGNATED CONTACT PERSON DURING EVENT: Persons to contact in case of emergency during the event who will be on-site and present throughout the duration of the event

Contact Person #1:	Phone Number:
Contact Person #2:	Phone Number:

DEPARTMENTAL NOTIFICATIONS

YOU MUST NOTIFY the following people to make sure they do not have any objections to this event:

A. Police Chief, Travis Yike 753-4101 Date approved: _____ Initial: _____
 Will you be utilizing the Police Dept. or Civil Service for traffic control? ___ No ___ Yes How many? _____
 Where will they be located?

B. Fire Chief, Rick Bair 753-3102 Date approved: _____ Initial: _____

C. Street Commissioner, Tony Shanks 753-4610 Date approved: _____ Initial: _____
 Note: All street closures go through the street closure request form

D. Parks Superintendent, Jan Fawley 753-7110 (if applicable) Date approved: _____ Initial: _____

ADDITIONAL PERMITS, LICENSES, DOCUMENTS, AND APPROVALS

Please submit copies of the following documents:

- Site Plan
- Temporary Signage
- Certificate of Insurance
- Marking Plan

The following additional documentation may be required if your event will include any of the following elements:

- **Raffle:** Please include a copy of your raffle license.
- **Alcohol Sales:** Please provide approved Indiana Designated Outdoor Refreshment Area Form or any other licenses required
- **Temporary Staging, Outdoor Stage Equipment, Canopies, or Tents:** Please provide a copy of your permit from the Indiana Department of Homeland Security (if required).

2. INSURANCE INFORMATION

Please submit a certificate of insurance of \$1,000,000 with the "City of Logansport," as a certificate holder and additional insured at least 10 days prior to event.

Insurance Carrier Name:	Amount of Coverage:
Contact Person:	Phone Number:
Address:	City:
State:	ZIP Code:

By signing and submitting this event application, the sponsor agrees to indemnify, defend, and hold harmless the City of Logansport, their agencies, employees, and volunteers from any liability (including reasonable attorney's fees and cost) due to loss, damage, injuries, or other casualties of whatever kind, to person or property arising out of the event for which this application is being submitted. I have read and understand the attached set of regulations and agree to abide by these rules.

Authorized Signature:

Date:

Board of Works and Public Safety Signature:

Date:

Exhibit F



**DESIGNATED OUTDOOR REFRESHMENT
AREA (DORA) DESIGNATION FORM**
State Form xxxxx (6-23)

INDIANA ALCOHOL AND TOBACCO COMMISSION
302 West Washington Street, Room E-114
Indianapolis, IN 46204
(317) 232-2430
<http://www.in.gov/etc>

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 or requesting supplemental catering authority 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)	Permit number	
Doing business as (d/b/a)	Permit expiration date (mm/dd/yyyy)	
Permit address (street address, city, state, zip code)		
Name of person making application	Telephone number	E-mail address
Has the DORA already been approved by the ATC? <input type="checkbox"/> Yes <input type="checkbox"/> No	DORA Reference Number (approved DORAs only)	
SECTION 2: TEMPORARY VENDORS AND SUPPLEMENTAL CATERERS		
Please select one: <input type="checkbox"/> Temporary beer and wine permit <input type="checkbox"/> Supplemental catering permit		
Permittee name	Permit number (catering permits only)	
Doing business as (d/b/a)	Permit expiration date (mm/dd/yyyy) (catering permits only)	
Address or description of designated vendor/caterer area		
Name of person making application	Telephone number	E-mail address
DORA Reference Number	Start date	End date
SECTION 3: LOCAL JURISDICTION APPROVAL		
Printed name of city or town official	Date (mm/dd/yyyy)	
Signature	Title	
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	Date (mm/dd/yyyy)	
Signature	Title	