

ORDINANCE NO. 5-2025
AN ORDINANCE ESTABLISHING A DESIGNATED OUTDOOR
REFRESHMENT AREA (DORA) IN THE CITY OF WASHINGTON
(AS AMENDED)

WHEREAS, Indiana Code § 7.1-3-31 allows a municipality to create, by ordinance, a designated outdoor refreshment area (DORA) in which retailer permittees (restaurants and other 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 approved open containers of alcoholic beverages within the designated boundaries of the DORA; and

WHEREAS, the creation of DORAs can facilitate development and benefit a municipality by creating an inviting atmosphere for citizens and visitors to patronize restaurants and other businesses with the DORA during regular business hours or as part of a festival or special event; and

WHEREAS, the city of Washington has a number of thriving local businesses, events and festivals that would benefit from the creation of a DORA; and

WHEREAS, the Common Council of the city of Washington desires to establish a DORA in accordance with Indiana law and pursuant to the terms of this ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WASHINGTON, INDIANA as follows:

(1) Washington's DORA is hereby created within the boundaries shown on the map attached as "Exhibit A", which is consistent with the city's zoning ordinances;

(2) The following constitutes the boundaries of the Washington DORA:

Beginning at the Southeast corner of East Van Trees Street and Meridian Street and proceeding east six blocks along the south side of Van Trees Street to the Southwest corner of E. Van Trees Street and N.E. 6th Street, then proceeding south 2 blocks to the Northwest corner of East South Street and S.E. 6th Street; then proceeding west six blocks along the north side of South Street to the northeast corner of South Street and South Meridian Street; then proceeding north two blocks along the east side of Meridian Street to the point of beginning. All described boundaries shall indicate the full width of each and every sidewalk along the route

(3) The designated permittees and vendors, as defined by I.C. §7.1-3-31-2 and 5 are as follows:

- A. The K of C - 319 E. Main Street
- B. The Tuxedo - 98 SE 4th Street
- C. The Eagles 414 - 500 E. Main Street
- D. The American Legion Post 121- 501 E. Main Street
- E. The Chamber - 422 E. Main Street
- F. Mischler's Tavern - 17 SE 2nd Street

Other temporary vendors may be added by a resolution of the common council

(4) Each designated permittee and vendor shall post, at each exit of their premises, a sign provided by the city. The city shall also post signs within the DORA as well as at locations indicated on the boundary map – approximately thirty (30) signs in total. All available logos are attached as “Exhibit B”

(5) The DORA shall only be operational as follows:

Monday through Thursday 11 am to 9 pm local time

Friday through Sunday 11 am to 1 am local time

Also, at such other times as approved, by ordinance, by the Washington Common Council.

(6) No designated permittee or vendor within the DORA shall permit glass containers to be taken from their premises, as shown on the floor plan approved by the Indiana State Excise Police.

Further, specially branded/logo cups are to be used by designated permittee or vendor for “to-go” drinks as depicted in “Exhibit B”;


(7) In the event of an “emergency”, as declared by the Chief of Police of the Washington Police Department, or his designee, the DORA shall be closed immediately and all “to-go” drinks shall be finished immediately or disposed of as directed.

(8) All cups should be disposed of properly in designated trash receptacles located within the DORA or in waste containers designated for that purpose.

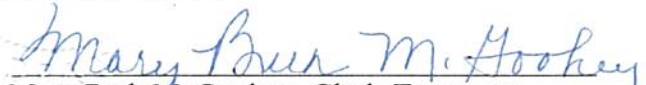
(9) If any provision in this ordinance is declared invalid, all remaining provisions shall remain in full force and effect;

- (10) Any ordinances or provisions that are inconsistent with the ordinance are hereby suspended;
- (11) This ordinance shall be in full force and effect upon passage, subject to the approval of the Indiana Alcohol and Tobacco Commission.
- (12) In accordance with I.C. § 7.1-3-31:
 - A. A person may consume an alcoholic beverage purchased from a designated permittee or vendor anywhere within the DORA boundaries, subject to the right of any retailer to refuse to allow individuals to enter their premises with an alcoholic beverage.
 - B. All designated permittees and vendors may allow a person to exit their premises with not more than two (2) open containers of alcoholic beverages at one time. The contents of an open container may not exceed the following:
 - 1. Beer or flavored malt beverages of not more than sixteen (16) ounces;
 - 2. Wine, cider, or hard seltzer of not more than twelve (12) ounces;
 - 3. A mixed drink of not more than ten (10) ounces containing not more than two (2) ounces of liquor.


Passed by the Common Council of the City of Washington, Daviess County, Indiana, this 24th day of February, 2025;


David Rhoads, Mayor

ATTESTED BY:


Mary Beth McGookey, Clerk-Treasurer

Presented by me to the Mayor for his approval and signature this 24th day of February, 2025.


Mary Beth McGookey, Clerk-Treasurer

Approved and signed by me this 24th day of February, 2025.


David Rhoads, Mayor

Adopted this 24th day of February, 2025.

AYE

NAY

Allen B

Tom Suss

Kenneth G. Stewart

Dee J

James H

David E

[Signature]

“Exhibit A”
Boundaries of the Washington Commons DORA



“Exhibit B”
Logos specifically for DORA area

