



ORDINANCE NO. ____-2021

**THE COMMON COUNCIL FOR THE CITY OF
LAWRENCEBURG, DEARBORN COUNTY, INDIANA**

**AN ORDINANCE ESTABLISHING
A MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT AREA**

WHEREAS, the City of Lawrenceburg is committed to improving the quality of life for its citizens and to foster and grow economic development within the City; and

WHEREAS, the City of Lawrenceburg was founded and established on the banks of the mighty Ohio River, with a robust and thriving community adjacent to the riverfront; and

WHEREAS, Indiana Code § 7.1-3-20-16.1 authorizes the City to establish a Municipal Riverfront Development Project within the area touching the river that is also part of its established Redevelopment Project Area, an Urban Renewal Area, or a Redevelopment Area, all pursuant to Indiana Code § 36-7; and

WHEREAS, the City of Lawrenceburg and the Lawrenceburg Redevelopment Commission has properly created and established such a Redevelopment Area, and has invested State and Local funds in the redevelopment and economic development of this area; and

WHEREAS, the Ohio River is a qualifying body of water as defined by Indiana Code § 14-29-6-3; and

WHEREAS, the proposed Municipal Riverfront Development Project Area is within the current Redevelopment Area and borders a qualifying body of water, and a map thereof is attached and incorporated by reference as Exhibit "A" and

WHEREAS, Indiana Code § 7.1-3-20-16.1 allows the Indiana Alcohol and Tobacco Commission to issue a non-transferrable three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption to a premises that is located no more than one thousand five hundred (1,500) feet or three city blocks from the river, whichever is greater, but if the area adjacent to the river is incapable of being developed because it is in a floodplain, or for any other reason that prevents the area

from being developed, the distances are measured from the city blocks located nearest to the river that are capable of being developed, or no more than three thousand (3,000) feet or six (6) city blocks if the permit applicant also satisfies the criteria established under Indiana Code § 4-22-2 and the permit premises is not within two hundred (200) feet of facilities owned by a State educational institution; and

WHEREAS, Indiana Code § 7.1-3-19-17 allows the Common Council as the legislative body for the City of Lawrenceburg to, at its discretion, recommend approval of permits under this Ordinance pursuant to the internal procedures determined below, and may deny or later rescind such recommendation at any time for any reason; and

WHEREAS, it is in the best interests of the City of Lawrenceburg and its citizens to create and establish the "Lawrenceburg Municipal Riverfront Development Project Area", and the area identified by this Ordinance meets all of the requirements of Indiana Code § 7.1-3-20.

IT IS, THEREFORE, ORDAINED by the Common Council of the City of Lawrenceburg as follows:

1. The City of Lawrenceburg hereby establishes the "Lawrenceburg Municipal Riverfront Development Project Area" pursuant to Indiana Code § 7.1-3-20-16 and Indiana Code § 7.1-3-20-16.1 as defined by the map attached hereto and incorporated by reference as Exhibit "A".
2. The owner of a premises or the proprietor of a business located at a premises located within the Lawrenceburg Municipal Riverfront Project Development Area may apply for a permit to sell alcohol pursuant to Indiana Code § 7.1-3-20-16 and Indiana Code § 7.1-3-20-16.1 as follows:
 - a. By applying with the Director of the Lawrenceburg Redevelopment Commission using the form attached hereto and incorporated by reference as Exhibit "B", who shall then present said application to the Common Council for approval or denial.
 - b. By at all times complying with all requirements of Indiana Code § 7.1 *et. al.* and all other applicable State and Local law.
 - c. If the owner or proprietor closes the business for which the permit was applied, he or she must immediately cease the sale of alcohol, notify the Lawrenceburg Redevelopment Commission, and surrender the permit obtained under this Ordinance.

3. The Lawrenceburg Redevelopment Commission and the administration of the City of Lawrenceburg is hereby authorized to take any formal action necessary to facilitate an application under this Ordinance, and to take all local and State action necessary following the approval or denial by the Common Council.
4. The City of Lawrenceburg may rescind its recommendation and request that the Indiana Alcohol and Tobacco Commission discontinue any permit issued under this Ordinance at any time for any reason, and any applicant waives any right to challenge such a decision or obtain redress in any form.
5. This Ordinance shall have full force and effect of law immediately upon passage by the Common Council. Any laws or regulations in conflict with this Ordinance are hereby repealed to that extent, and all actions taken in furtherance of this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAWRENCEBURG, DEARBORN COUNTY, INDIANA, ON THIS THE ____ DAY OF JULY, 2021.

Brett Bondurant, Council-At-Large

Tony Abbott, District One

Justin Noppert, District Two

Thomas Rowlett, Sr., District Three

Lennie Fryman, District Four

Hon. Kelly Mollaun (*in the case of a tie*)

ATTEST AND PRESENTED TO THE PRESIDING OFFICER:

Mark Fette, Clerk-Treasurer

Date

Hon. Kelly Mollaun, Presiding Officer

APPROVAL OR VETO BY MAYOR:

Veto: _____

Approve: _____

Hon. Kelly Mollaun, Mayor

Date

EXHIBIT A

EXHIBIT B