

➤ **Objectives and Criteria for License Allocation**

The Indiana state legislature enacted I.C. 7.1-3-20 et. seq. (the "Act"). The Act permits the Indiana Alcohol and Tobacco Commission ("ATC") to issue liquor licenses in the Jasper Patoka River Redevelopment District. The Jasper Common Council ("Council") working in conjunction with the Mayor of the City of Jasper, will recommend the applications for liquor licenses that will strengthen the economic vitality of the riverfront district.

➤ **Background**

The Jasper Common Council has determined that the creation of the Jasper Patoka River Redevelopment District (the "District") under the Act will help further the goals of the City of Jasper by removing barriers to development in the downtown and riverfront area. Through the creation of this municipal riverfront development project area, the City of Jasper will be able to attract additional development opportunities to the district, expand the tax base through additional development and create more opportunities for the people of Jasper, Dubois County and surrounding areas to spend time in and enjoy the various venues present in this redeveloped area.

The Act permits the Indiana Alcohol and Tobacco Commission to issue liquor licenses (one, two and three-way) within the District, above the normal number granted to Jasper. Granting additional alcohol permits within the District will enable the creation of new food and beverage businesses which will create economic opportunities in the District and will extend activities in the District into the evening hours. The lack of availability of such licenses is considered to be a barrier to development. The Act allows the ATC to grant an unlimited number of licenses within the District, subject to locally established limitations.

➤ **PURPOSES AND GOALS** - The City seeks to achieve the following:

- Enhance Jasper's regional appeal by encouraging the location and operation of a diverse mix of restaurants and entertainment venues in the riverfront district.
- Remove a significant barrier to development in the Area.
- Establish a family oriented destination by providing a venue for diverse and unique year-round restaurants in the District so as to entice repeat visits by residents and visitors.
- Reinforce the existing physical fabric of "Old Jasper" and the riverfront area in order to create a sense of place and gathering areas.
- Provide opportunity for economic development, increase in tax base and creation of jobs.

➤ **DISTRICT REQUIREMENTS**

- The District will be geographically defined to conform to the requirements of the Act and as shown in Riverfront District Map, attached hereto as Exhibit A.
- The District shall allow for the granting of one-way, two-way and three-way Jasper Patoka River Redevelopment District permits. The number of such permits shall be controlled by the Mayor, the Common Council and the Indiana State Alcohol and Tobacco Commission.
- **Permits are not transferable, not portable within or without the district and any renewal is subject to compliance with the terms of these local rules and any agreement negotiated with the City of Jasper. The permits shall not be pledged as collateral or subject to any lien, judgment, property settlement agreement, or third party claim.**
- Applicants receiving three-way licenses within the District will be required to sell a minimum of \$150,000 in gross food sales annually. As part of the yearly license renewal, applicants must demonstrate that this requirement has been met at the location for which the license has been granted.
- The Applicant must comply with all building, health and zoning laws, ordinances and all rules and regulations of the Indiana State Alcohol and Tobacco Commission (ATC), local, state, and federal governments.
- The applicant will enter into a written commitment with the City to comply with these Local Rules and any conditions that the City places on the restaurant which shall include applicant's agreement to resolve any dispute to enforce the terms of same by arbitration.
- The applicant shall maintain all liability and other insurance coverages required by the ATC and submit a certificate of insurance to the Mayor's office prior to commencement of business.
- The applicant will enter into a written commitment with the City to comply with these Guidelines and any lawful conditions that the City may impose on the operation of the applicant's restaurant.
- If applicable, the applicant shall pay an application fee as determined by ordinance. If and when a fee is required, the Mayor's review will not commence until such fee is paid.

➤ **CRITERIA and FACTORS:** The recommendation of the Mayor and the Council will be based on the following general criteria:

- **Primary Factors:**
 - Granting of the permit will benefit the purposes of the district.
 - Granting of the permit and the business activity will not be detrimental to the property values and business interest of others in the district.

- **Additional Factors Considered:** The Mayor and the Council will consider several additional factors including but not limited to the following in making a recommendation.
 - The Applicant's plans to improve the facility in which they will operate and the consistency of such plans with the nature and architecture of the District
 - The business' ability to attract people to Jasper and, specifically, the riverfront area.
 - The focus of the business on a dining, entertainment or cultural experience rather than an alcohol consumption experience
 - Patrons must consume food at either a counter or table
 - Buildings within 200 feet of a church or school are not eligible to apply
 - Cannot be a private club, nightclub, or adult entertainment venue
 - The number and nature of the jobs added to or retained in the Jasper employment base
 - Financial and ownership strength, which may best be demonstrated by a business plan
 - History of operation
 - Applicant's reputation in the community and or in other communities
 - The control and participation of the owners of the Applicant in the day to day operation of the business
 - The size, floor plan, and layout of the restaurant and exterior dining areas, if any
 - The applicant's commitment to the riverfront area and Jasper in genera

- **FEE:** The Applicant shall pay One Thousand Dollars (\$1,000) per year for this special riverfront alcohol permit.

Establishments located within the district with an existing 3-way license may not sell their existing license in order to apply for a 221-3 riverfront license. There will be a minimum 1-year wait between the time any business with an existing license sell its license and will be eligible to apply for a riverfront license.