

Passed 11-12-12 by a vote of 6-0 (Butterfield Absent)
RESOLUTION NO. 17, 2012

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,
INDIANA, RECOMMENDING ISSUANCE OF A DOWNTOWN ALCOHOLIC
BEVERAGE PERMIT PURSUANT TO I.C. 7.1-3-20-16(g)**

WHEREAS, during the 2005 legislative session, the Indiana General Assembly enacted and the Indiana Governor signed Senate Enrolled Act 282, which is codified at I.C. 7.1-3-20-16(g); and

WHEREAS, the aforementioned legislation provided that after June 30, 2005, the Indiana Alcohol & Tobacco Commission may issue not more than ten (10) new three-way, two-way or one-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be the proprietor, as owner or lessee, or both, of a restaurant located within a district, or not more than five hundred (500) feet from the district, that meets the statutorily created boundaries and which are approximately described as "downtown" Valparaiso; and

WHEREAS, on August 22, 2005, the Common Council of the City of Valparaiso, Indiana, adopted Resolution No. 15 which established objectives and criteria for the issuance of Valparaiso Downtown Alcoholic Beverage Permits; and

WHEREAS, in 2011 the Indiana General Assembly amended I.C. 7.1-3-20-16(g) in order to permit the Indiana Alcohol & Tobacco Commission to issue the aforementioned permits to restaurants not more than seven hundred (700) feet from the above-referenced district; and

WHEREAS, the Valparaiso Downtown Alcoholic Beverage Licensing Committee has accepted and reviewed applications for Downtown Alcoholic Beverage permits and has recommended issuance of a permit to **157 South Franklin, LLC, d/b/a Casa Del Mar Restaurant**; and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Valparaiso, Indiana, that **157 South Franklin, LLC, d/b/a Casa Del Mar Restaurant**, should be, and is, hereby recommended for a Valparaiso Downtown Alcoholic Beverage Permit. Such recommendation being conditioned upon full compliance with the objectives and criteria contained in Resolution 15, and pursuant to I.C. 7.1-3-20-16(g)

NOW THEREFORE BE IT FURTHER RESOLVED by the Common Council of the City of Valparaiso, Indiana, that upon written request by either the Valparaiso Downtown Alcoholic Beverage License Committee or the City Council, representatives from **157 South Franklin, LLC, d/b/a Casa Del Mar Restaurant**, shall appear and provide a report as to its activities and answer questions relating to any complaints/problems.

/s/ Joey Larr

Deb Butterfield – absent

/s/ Michael Baird

/s/ Bob Taylor

/s/ John Bowker

/s/ Jan Dick

/s/ Tim Daly

/s/ Jon Costas, Mayor

ATTEST:

/s/ Sharon Swihart, Clerk-Treasuer