

Synopsis: This Ordinance, if adopted, would establish a municipal riverfront development district and project in accordance with applicable Indiana Law.

ORDINANCE 24-C-25

AN ORDINANCE OF THE CITY OF HUNTINGTON, INDIANA TO ESTABLISH A MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT AND DISTRICT

WHEREAS, to complement economic development efforts of cities and towns, the Indiana General Assembly enacted Indiana Code 7.1-3-20-16 *et seq.* (the “Act”), authorizing the establishment of a municipal riverfront development project area; and

WHEREAS, the Act allows the Indiana Alcohol and Tobacco Commission (“ATC”) to issue one-way, two-way, and three-way nontransferable permits without regard to the ATC quota restrictions otherwise applicable to restaurants located within a municipal riverfront development district and project; and

WHEREAS, Indiana Code 7.1-3-20-16.1 authorizes city common councils to designate a municipal riverfront development project within a municipal riverfront development project area; and

WHEREAS, pursuant to IC 7.1-3-20-16.1(a)(1), the boundaries of a municipal riverfront development project area must border at least one side of a river; and

WHEREAS, the Little River, Flint Creek, and Rabbit Run flow through the Project Development Area; and

WHEREAS, the Little River, Flint Creek, and Rabbit Run are “rivers” as defined in IC 14-29-6-3 (“any flowing body of water and adjacent land or part of the body of water and adjacent land”); and

WHEREAS, pursuant to IC 7.1-3-20-16.1(b)(2) proposed permit premises may not be located more than: (A) one thousand five hundred (1,500) feet, or (B) three (3) city blocks from

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the river, whichever is greater, but if the area adjacent to the river is incapable of being developed, the distances are measured from the city blocks located nearest to the river that are capable of being developed; and

WHEREAS, pursuant to IC 7.1-3-20-16.1(b)(3), the permit premises must be located within an economic development area, a redevelopment project area, an urban renewal area, or a redevelopment area established pursuant to IC 36-7; and

WHEREAS, the Project Development Area is located within the Cinergy MetroNet Economic Development Area which was established on November 12, 2010 (Confirmatory Resolution No. RC-2010-2); and

WHEREAS, a map of the riverfront development project area is attached to this ordinance as Exhibit A (the “Project Development Area”); and

WHEREAS, pursuant to IC 7.1-3-20-16.1(b)(4) the municipal riverfront development project must be funded in part with state and city money; and

WHEREAS, as of the date of this Ordinance, City and State money have been or will be invested in the Project Development Area, including but not limited to the investments and projects listed on the attached and hereby incorporated herein by reference Exhibit B; and

WHEREAS, Council believes it is in the best interest of the City to create, pursuant to the Act, a municipal riverfront development project area, to be known as the City of Huntington Riverfront District Development Project Area, and that the City’s Board of Public Works and Safety be designated to administer that Riverfront District Development Project Area; and

WHEREAS, the City desires to implement a local application process by approving and adopting in substantial form, the application attached to this Ordinance as Exhibit C (the “Local Application”); and

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WHEREAS, Indiana Code 7.1-3-19-17 provides that a municipality may include in its ordinance establishing a municipal riverfront development project area, a requirement that businesses seeking an alcoholic beverage permit pursuant to the Act must comply with a formal written commitment requirement as a condition of eligibility; and

WHEREAS, Applicants who complete the Local Application and who are approved by the City will be given a favorable recommendation to the ATC, subject to the applicant's execution of written commitments regarding the character and type of business that will be conducted on the permit premises, in substantially the form attached to this Ordinance as Exhibit D ("Written Commitments"); and

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Huntington, Indiana as follows:

1. The City hereby designates the real estate shown in the attached Exhibit A as the City of Huntington Riverfront District Development Project Area, a municipal riverfront development area, pursuant to Indiana Code 7.1-3-20-16 and Indiana Code 7.1-3-20-16.1.
2. The owner or lessee of any restaurant located within the Project Development Project Area is authorized to provide a copy of this Ordinance to the Indiana Alcoholic Beverage Commission in support of an application pursuant to Indiana Code 7.1-3-20-16 and 7.1-3-20-16.1.
3. The Local Application and Written Commitment process is hereby authorized and approved, and the forms of the Local Application and Written Commitments are approved in substantially the form attached to this Ordinance as Exhibit C and Exhibit D, respectively.

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4. The Board of Public Works and Safety of the City is hereby authorized and directed to review and approve or deny any application submitted and to take any and all steps necessary and reasonable, including revising the form of the Local Application or Written Commitments as deemed prudent, from time to time, to carry out the intent and purpose of this Ordinance.
5. This Ordinance shall be in full force and effect in accordance with Indiana law upon its passage by the Common Council all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts taken pursuant to the adoption of this Ordinance are hereby ratified.

[Signature Block Next Page]

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A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of __ in favor and __ in opposition.

Duly adopted on first reading this ____ day of _____, 2025, by a vote of __ in favor and ____ in opposition.

Duly adopted on final reading this ____ day of _____, 2025, by a vote of __ in favor and ____ in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

Voting in Opposition:

_____	Charles Chapman (President)	_____
_____	Dwight Brautigam	_____
_____	P J Felton	_____
_____	Dave Funk	_____
_____	Todd Johnson	_____
_____	Paul Pike	_____
_____	Andrew Rensberger	_____

Attest:

Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this ____ day of _____, 2025.

Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this _____ day of _____, 2025.

Richard Strick, Mayor