



# TOWN OF SCHERERVILLE

OFFICE OF TOWN ADMINISTRATION  
10 EAST JOLIET STREET • SCHERERVILLE, IN 46375  
PHONE: (219) 322-2211 • FAX: (219) 865-5515

## Riverfront Guidelines, Criteria, and Requirements

### Schererville Riverfront District Liquor License

#### 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 Town of Schererville Riverfront Redevelopment District ("District"). The Schererville Town Council, working in conjunction with the Schererville Riverfront License Review Committee, will recommend the application for liquor licenses that will strengthen the economic vitality of the riverfront district.

#### Background

The Schererville Town Council has determined that the creation of the Schererville Riverfront Redevelopment District under the Act will help further the goals of the Town of Schererville ("Town") by removing barriers to development in the downtown and riverfront areas. Through the creation of this municipal riverfront development project area, the Town 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 Schererville, Lake County, and surrounding areas to spend time in and enjoy the various venues present in this redeveloped area.

The Act permits the ATC to issue liquor licenses within the District, above the normal number granted to the Town. 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, however, the locally established limit for the Town of Schererville is six (6).

#### PURPOSES AND GOALS

1. Provide opportunity for economic development, increase the tax base and create jobs.
2. Remove a significant barrier to Downtown development.
3. Enhance Schererville's regional appeal by encouraging the location and operation of a diverse mix of restaurants and entertainment venues in the riverfront district.
4. Establish a family oriented destination by providing a venue for diverse and unique restaurants in the District so as to entice repeat visits by residents and visitors.
5. Use the license allocation program to encourage recipients to make improvements to their buildings, create new developments within the Riverfront District, encourage a healthy and fun atmosphere in the Riverfront District, and to complement other redevelopment efforts.

## **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 Schererville Riverfront Redevelopment District liquor license permits. The number of such permits shall be controlled by the Town 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 Town of Schererville. The permits shall not be pledged as collateral or subject to any lien, judgment, property settlement agreement, or third party claim.**
- Applicants receiving the three-way riverfront license within the District will be required to sell a minimum of 51% of their total annual sales in food. 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.
- Establishments should be open to all ages of the public.
- Establishments can only be open until 11:00 pm.
- 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 Town to comply with these Local Rules and any conditions that the Town places on the establishment, 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 Town of Schererville prior to commencement of business.
- The applicant shall pay a non-refundable \$1,500.00 application fee as determined by Ordinance. The review will not commence until such fee is paid.
- If approved, the applicant shall pay an annual non-refundable \$5,000.00 Riverfront District Fund fee as determined by Ordinance #2006. Participation will also be available to other businesses within the district on a voluntary basis.
- The Establishment is responsible for all outside cleaning, maintenance, and debris pick up, which includes cigarettes and snow removal of surrounding area and public walkways.

## **CRITERIA and FACTORS:**

The recommendation of the Riverfront Liquor License Review Committee and the Town Council will be based on the following general criteria:

### **Primary Factors:**

- Granting the permit will benefit the purposes of the district.
- Granting 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 Riverfront Liquor License Review Committee and the Town Council will consider several additional factors including, but not limited to, the following in making a recommendation:

- Buildings within 200 feet of a church or school are not eligible
- Plans to improve the facility in which they will operate and the consistency of such plans with the nature and architecture of the District
- Ability to attract people to the Town of Schererville and, specifically, the Riverfront District
- The focus of the business shall be on a dining, entertainment, or experience rather than an alcohol consumption experience
- Establishment cannot be a club, nightclub, or adult entertainment venue
- The number and nature of the jobs added to or retained in the Schererville employment base
- Financial and ownership strength, which may best be demonstrated by a business plan
- History of operation (if any)
- Applicant's reputation in the community and or in other communities
- The control and participation of the owners of the establishment in the day to day operation of the business
- The size, floor plan, and layout of the restaurant and exterior dining areas, if any

**FEE:** The Applicant shall pay a One Thousand Dollar (\$1,000.00) fee annually for this special riverfront alcohol permit, payable to the State of Indiana. 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 waiting period between the time any business with an existing license sells its license and becomes eligible to apply for a riverfront license.

### **Application procedure**

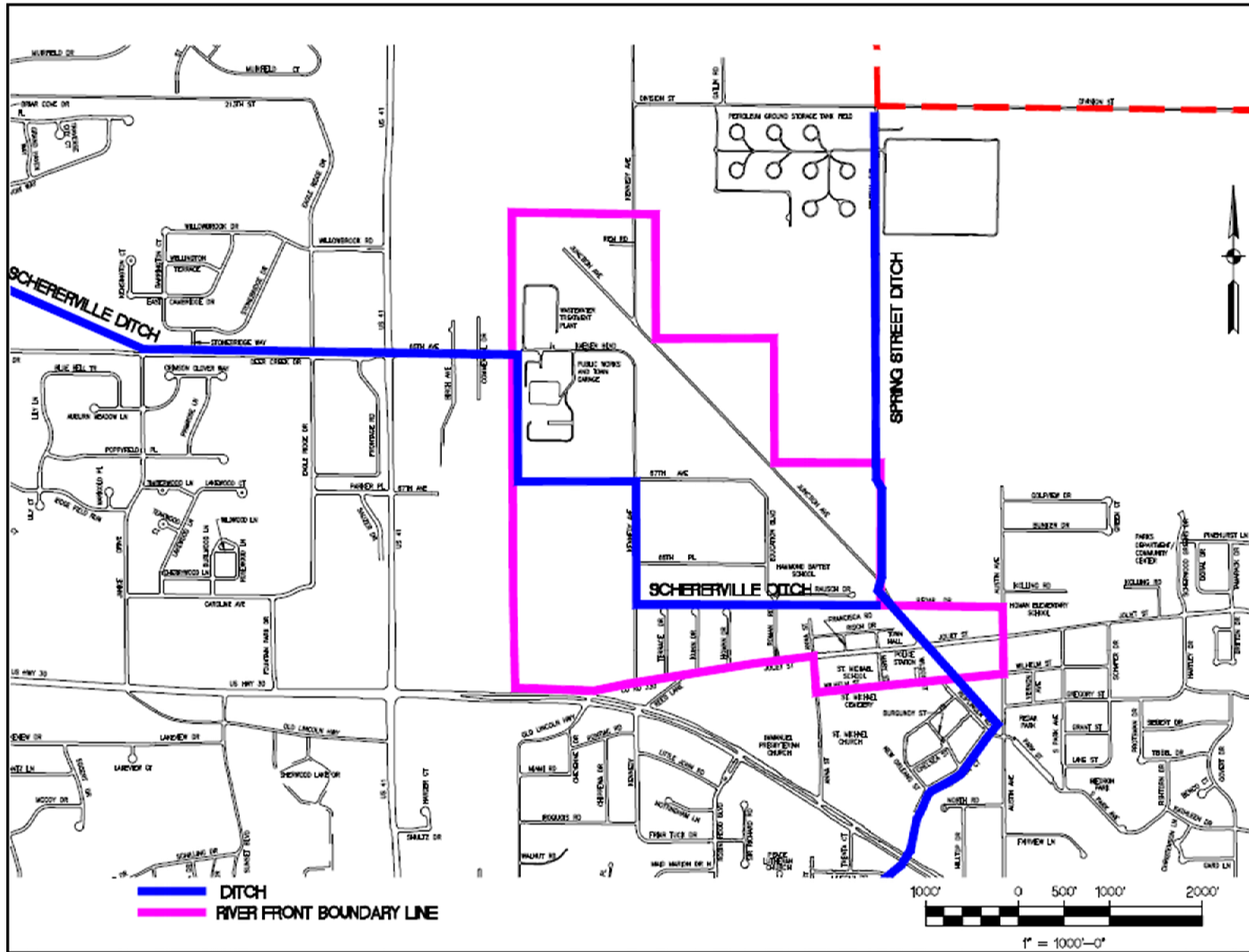
The application process is as follows:

- 1) Applicant completes a Riverfront License application and submits it to the Town Manager along with the Applicant's completed Indiana ATC permit application.
- 2) The Town Manager will schedule a meeting with the Schererville Riverfront Liquor License Review Committee, and applicant, to consider the proposed application.
- 3) The Schererville Riverfront Liquor License Review Committee will make a recommendation for either approval or rejection of the license application to the Town Council.
- 4) At a public meeting the Town Council will review the recommendation and make a determination for approval or rejection that will be forwarded to the ATC. This recommendation is required as part of the Applicant's application to the ATC. It is understood that the ATC will not take action on a Riverfront District License without a letter of recommendation.

### **Schererville Riverfront License Review Committee Members:**

1. Town Manager
2. Planning and Building Administrator
3. Clerk Treasurer
4. Redevelopment Commission President
5. Plan Commission President

**Exhibit A:**





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## Schererville Riverfront District

### Frequently Asked Questions FAQ

#### Obtaining a Liquor License within the Downtown Schererville Riverfront Development District

**I hear that it is possible to apply for a 3-way license in parts of Downtown Schererville that only costs \$1,000.00. Is this true?**

➤ Yes, within the boundaries of the defined Schererville Riverfront Development District with exceptions.

**Are there any locations within the District that might not be eligible?**

➤ Yes. The same state restrictions apply within the District as outside the District. For instance, if your desired location falls within 200 feet of a church or a school, it would not be eligible.

**What is the Schererville Riverfront Development District?**

➤ A district where 3-way licenses are made available to eligible establishments for \$1,000.00 annually, payable to the state, as a way to spur development near a river.

**Where can I see a map of the District?**

➤ You can obtain a copy of the district map from the office of the Town Manager. The map may also be found on the Town's website at [www.schererville.org](http://www.schererville.org) – click on: Town Government > Administration > Riverfront District.

**Where can I find a copy of the local Resolution establishing the District?**

➤ You can obtain a copy of the local Resolution (2022-18) and Ordinance #2006 from the office of the Town Manager. The Resolution and Ordinance may also be found on the Town's website at [www.schererville.org](http://www.schererville.org) – click on: Town Government > Administration > Riverfront District.

**Does my business need to be located next to the river to be eligible?**

➤ Your space can be up to 3 blocks or 1,500 feet from the river, as long as it is located within the defined Schererville Riverfront Development District boundaries.

**What types of establishments was the District designed to attract?**

➤ Dining, entertainment, and family-oriented attractions.

**Why isn't the District bigger?**

➤ The District was developed as a tool to encourage economic development within the downtown area. The District had to meet certain criteria as defined by Indiana State Code, such as be within 1,500 feet or three blocks from the river and fall within a redevelopment area.

**Is there any limit to the number of riverfront licenses that can be issued within the District?**

➤ Yes, The current number of licenses is six (6), however, the Town Council can increase the number if it is deemed necessary.

**How will I know if my business concept is eligible?**

➤ Review the eligibility requirements. You may also schedule a meeting with the Town Manager to review the requirements and application process.

**Who issues the liquor license?**

➤ The license is issued by the State of Indiana through the Alcohol and Tobacco Commission.

**How much does a 3-way riverfront liquor license cost?**

➤ The current fee is \$1,000.00 paid annually to the State of Indiana.

**How much is the fee to be a member of the Riverfront District Fund?**

➤ The fee is \$5,000.00 annually, this is a required fee to belong to the Riverfront District.

**Why is it a requirement that those with riverfront licenses participate in the Riverfront District Fund?**

➤ The purpose of the District is to beautify the area to attract new and return customers. Members of the Riverfront District Fund will participate in beautification, events, and promotions within the District.

**What are the steps to apply?**

The application process is as follows:

- 1) Applicant completes a Riverfront Liquor License application, a completed Indiana ATC permit application, application fee, and submits it to the Town Manager.
- 2) The Town Manager will schedule a meeting with the Schererville Riverfront Liquor License Review Committee and Applicant, to consider the proposed application.
- 3) The Schererville Riverfront License Review Committee will make a recommendation for either approval or rejection of the license application to the Town Council.
- 4) At a public meeting the Town Council will review the recommendation and make a determination. If approved, a written correspondence will be forwarded to the ATC. This recommendation is a required part of the Applicant's application to the ATC. It is understood that the ATC will not take action on a Riverfront District License without a letter of recommendation.

**How long will it take for me to go through the local approval process?**

➤ Typically, no longer than 45 days from submission of a completed application.

**How long does it typically take to receive approval from the State?**

➤ Typically, 90-120 days from submission of a completed application to the Indiana ATC.

**I am in a hurry. Do I need to wait for local approval before I send my application to the ATC?**

➤ No. You may submit your completed application to the Indiana ATC along with the required attachments and a note indicating that a letter from the Town Council is to follow. If you are approved at the local level, the Town will send the letter directly to the Indiana ATC for you.

**Where can I find the Application for New or Transfer Liquor Permit?**

➤ The Indiana ATC website at:  
<https://www.in.gov/atc/alcohol-permit-resources/alcohol-permit-applications-and-forms/>

**How do I indicate to the State that I wish to apply for a Riverfront license?**

➤ At the bottom of page 5 of the ATC Application for New or Transfer Permit check “Yes” in the section titled “AIRPORT, REDEVELOPMENT, RIVERFRONT, RAILWAY STATION, CULTURAL CENTER” and then fill in the word “Riverfront” in the blank.

**When applying for a riverfront license do I need to send additional documents to the ATC along with my completed Application for New or Transfer Permit?**

- Yes. You will need to send:
1. a copy of the local Resolution, (2022-18)
  2. an aerial map showing the entire boundaries of the District with the location of your establishment clearly marked
  3. a letter from the Town Council in support of your application\*

\* This letter is obtained through the local Riverfront Application Review process and will be sent on your behalf, by the Town, if your local application is approved.

**I am located within the District and I have an operational 3-way license now. Can I sell it and apply for a riverfront liquor license?**

➤ No. This program is only for new licenses. There will be a minimum 1-year wait between the time any business with an existing license sells its license and will become eligible to apply for a riverfront liquor license.

**Can I sell my riverfront liquor license to anyone else once I have it?**

➤ No, unlike a regular 221-3 license, the riverfront liquor license cannot be sold or transferred.

**What is the role of the Schererville Town Council and the Riverfront Liquor License Review Committee?**

➤ The Riverfront Liquor License Review Committee will serve to administer the local Riverfront Application Review process. The Council will provide a public forum for discussion of each application.



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## Riverfront Application

### Schererville Riverfront District Liquor License

#### Applicants Information:

Business Entity Making this Application: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant's Phone (daytime): \_\_\_\_\_ Email: \_\_\_\_\_

#### Property Owner Information:

Property Owners Name: \_\_\_\_\_

Property Owners Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property Owner Phone (daytime): \_\_\_\_\_ Email: \_\_\_\_\_

*If Applicant is not the Property Owner, provide a copy of your lease agreement.*

#### Property Information:

Parcel Key Number: \_\_\_\_\_

Address: \_\_\_\_\_

*Or General Location (if no address has been assigned provide a street corner, lot number, etc):*

Property Size: \_\_\_\_\_ acres *or* \_\_\_\_\_ square feet

Zoning: \_\_\_\_\_

Additional Information: \_\_\_\_\_

1. In addition to the floor plan required in step 7 of the Indiana ATC form, please include:

a) Any plans you have to improve the facility in which you will operate: \_\_\_\_\_

b) The expected timetable for work and business commencement: \_\_\_\_\_

2. Explain the overall concept and unique features of the proposed establishment. \_\_\_\_\_

3. Describe the level of control and participation the owners will have in the day to day operation of the business. \_\_\_\_\_





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4. Describe how your operation will focus on a dining, entertainment or experience rather than an alcohol consumption experience. \_\_\_\_\_

\_\_\_\_\_

5. Explain any past restaurant experience you have had or other means by which the Riverfront Liquor License Review Committee will be able to obtain information on your preparedness for this venture. \_\_\_\_\_

\_\_\_\_\_

6. Outline any other factors that will aid the Riverfront Liquor License Review Committee in the consideration of your application. \_\_\_\_\_

\_\_\_\_\_

7. Provide information on the number of jobs this operation will add or retain within the Town of Schererville:

\_\_\_\_\_

8. Explain how you will jointly market your restaurant with other restaurants in the District, and how you will work with the community: \_\_\_\_\_

\_\_\_\_\_

9. Describe how your restaurant will draw people to Schererville, specifically the riverfront area.

\_\_\_\_\_

10. Verify that you do not currently hold or have held an active 3-way license for this location within the past 12 months: \_\_\_\_\_

\_\_\_\_\_

**Please utilize the following checklist to ensure all required documents are submitted:**

- Your completed Indiana State form entitled "Application for New or Transfer Permit" along with any attachments
- A copy of the executive summary of your business plan (should include financial and ownership strengths)
- A plan that includes the size, floor plan, and layout of the restaurant and exterior dining areas, if any.
- A copy of your proposed permanent signage
- A tentative menu
- This completed application
- Application fee of \$1,500.00: check made payable to Town of Schererville

**Please submit 6 packets including this application and all requested documentation to:**

**Schererville Riverfront Liquor License Review Committee**

**10 East Joliet Street  
Schererville, IN 46375**



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**The Town of Schererville will identify any information that is not sufficient and contact the applicant. The applicant is required to provide any other information requested to demonstrate compliance with the requirement of the Riverfront District.**

## CONDITION OF ELIGIBILITY

All Schererville Riverfront District Permit applications will be under review by the Schererville Riverfront Liquor License Review Committee, and submitted to the Schererville Town Council. If the application is approved, the Schererville Town Council will give the applicant a signed letter to that effect. It is understood that the ATC will not take action on the three-way Riverfront District Liquor License without this letter of recommendation. Applicants receiving the three-way riverfront license within the District will be required to sell a minimum of 51% of their total annual sales in food. As part of the yearly license renewal, applicants will have to demonstrate that this requirement has been met at the location for which the license has been granted, in addition to the requirements of the Town of Schererville application process. The Town Riverfront Initial Application fee is \$1,500.00 and an annual Riverfront District Fund fee of \$5,000.00, both are nonrefundable and payable to the Town of Schererville. There is no refund of the application or renewal fee if denied by the Town or by the State. (An additional \$1,000.00 goes to the state for the initial and renewal application). Permits are not transferable, not portable within or without the district and any renewals are subject to compliance, with the terms of these local rules, and any agreement negotiated with the Town of Schererville. The permits shall not be pledged as collateral, or subject to any lien, judgment, property settlement agreement, or third-party claim.

## APPLICANTS CERTIFICATION

The Applicant certifies that all information in this application and all information furnished in support of this application are true and complete to the best of the Applicant's knowledge and belief.

I have read and understand the procedures and agree to follow the Riverfront Liquor License Review Committee Process. I am submitting documentation as requested.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## FOR OFFICE USE ONLY

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Review Board Approved  or Denied  Date: \_\_\_\_\_

Review Board Signatures:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Town Council Meeting Approval Date: \_\_\_\_\_

Approval Letter Mailed Date: \_\_\_\_\_

**TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA**

**RESOLUTION NO.: 2022-18**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, ESTABLISHING A MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT AREA IN THE TOWN OF SCHERERVILLE, DESIGNATING THE BOUNDARIES THEREOF, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town Council of the Town of Schererville, Lake County, Indiana (hereinafter the "Town Council"), is the duly elected legislative and fiscal body for the Town of Schererville; and

**WHEREAS**, as such legislative and fiscal body, the Town Council has been informed and advised that the pertinent statutes governing the Indiana Alcohol and Tobacco Commission (hereinafter, the "ATC"), authorize the Town Council to establish a Riverfront Development Project Area (hereinafter, the "Area"), by enabling Ordinance or Resolution; and

**WHEREAS**, the Town Council has been further informed and advised that within the said Area, the ATC may authorized and issue a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant on land or in a historic river vessel, within a municipal riverfront development project (I.C. §7.1-3-20-16(d)); and

**WHEREAS**, the Town Council has been further informed and advised that pursuant to the terms and provisions of I.C. §7.1-3-20-16(a), a permit that is authorized by the above-cited subsection of the Indiana Code may be issued without regard to the quota provisions of I.C. §7.1-3-22-1, et. seq.; and

**WHEREAS**, the Town Council acknowledges that, pursuant to the terms and provisions of I.C. §7.1-3-20-16.1(b), the municipal riverfront development project area where such permits are to be located must meet the following criteria:

- (1) The project boundaries must border on at least one (1) side of a river.
- (2) The proposed permit premises may not be located more than:
  - a. One thousand five hundred (1,500') feet; or
  - b. Three (3) city blocks;from the river, whichever is greater. However, if the area adjacent to the river is incapable of being developed because the area is in a floodplain, or for any other reason that prevents the area from being developed, the distances described in clauses a and b are measured from the city blocks located nearest to the river that are capable of being developed.
- (3) The permit premises are located within:
  - a. An economic development area, a redevelopment project area, an urban renewal area, or a redevelopment area established under I.C. §36-7-14, I.C. §36-7-14.5 or I.C. §7.1-3-2036-7-15.1;
  - b. An economic development project district under I.C. §36-7-15.2 or I.C. §36-7-26; or
  - c. A community revitalization enhancement district designated under I.C. §36-7-13-12.1.
- (4) The project must be funded in part with State and Town funds.
- (5) The boundaries of the municipal riverfront development project must be designated by Ordinance or Resolution by the legislative body (as defined in I.C. §36-1-2-9(3) or I.C. §36-1-2-9(4)) of the Town in which the project is located; and

**WHEREAS**, the Town Council seeks to designate the boundaries of the Municipal Riverfront Development Project Area of the Town of Schererville so that alcoholic beverage permits may be issued in accordance with the above-cited authorities, and to authorize the establishment of such Project Area to promote, facilitate, encourage, and support the development of the Town area (herein describe the geographic area of the Project Area here), and to spread such action upon the public record; and

**WHEREAS**, the Town Council, based on its review, analysis, and assessment, as well as by virtue of the information and documentation provided, and being duly advised, now concurs that it is appropriate, advisable, and presently in the best interests of the residents of the Town of Schererville to create and develop a Municipal Riverfront Development Project Area in the Town of Schererville, as it is in the best interests of the residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE, COUNTY, INDIANA, AS FOLLOWS:**

**SECTION ONE:** That the Town Council of the Town of Schererville, Lake County, Indiana, makes the following findings:

- A. The Town Council hereby designates the land within the following boundaries as the Project Area:

[See Exhibit "A" attached]

The Town Council finds that the area within said designated boundaries is located entirely upon/within Town Municipal Riverfront Project Area and includes only land that is not more than three (3) Town blocks or One Thousand Five Hundred (1,500) feet from the Town Municipal Riverfront Project Area.

- B. The entirety of said Area is located in an Area previously established by the Town Council pursuant to the terms and provisions of I.C. §36-7-14.5.
- C. The Project elements described herein have been and will be funded in part with both State and Town of Schererville funds.

**SECTION TWO:** That the Town Council of the Town of Schererville, Lake County, Indiana, hereby establishes the Town Municipal Riverfront Project Area as described in Section One (A.) hereinabove for the purpose of enabling the ATC to issue permits for the sale of alcoholic beverages for on-premises consumption in the manner authorized by applicable Indiana law.

**SECTION THREE:** That this Resolution, upon approval, shall be transmitted to the pertinent and authorized Officials of the State of Indiana Alcohol and Tobacco Commission by transmittal executed by the President of the Town Council of the Town of Schererville, with attestation by the Clerk-Treasurer of same.

**SECTION FOUR:** That this Resolution shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council of the Town of Schererville, Lake County, Indiana.

**SECTION FIVE:** That the Town Clerk-Treasurer is authorized to publish this Resolution upon adoption as permitted and in conformance with applicable Indiana law.

ALL OF WHICH IS PASSED AND RESOLVED THIS 18 DAY OF January, 2023,  
BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA.

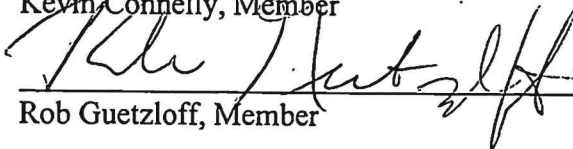
TOWN OF SCHERERVILLE, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

  
Thomas J. Schmitt, President


  
Robin Arvanitis, Vice President

  
Caleb S. Johnson, Member

  
Kevin Connelly, Member

  
Rob Guetzloff, Member

ATTEST:

  
MICHAEL A. TROXELL, IAMC, CPFIM, CMO  
CPFIM, Clerk-Treasurer



## EXHIBIT "A"

### River Front Description:

Beginning at the centerline of Wilhelm Street and the centerline of Austin Avenue; Thence North along the centerline of Austin Avenue, a distance of 702 feet to the intersection of the centerline of Austin Avenue and the centerline of Redar Drive; Thence Westerly along the centerline of Redar Drive, a distance of 1,328 feet; Thence Northerly, a distance of 1,500 feet; Thence Westerly, a distance of 1,151 feet; Thence Northerly, a distance of 1,310 feet; Thence Westerly, a distance of 1,281 feet; Thence Northerly, a distance of 1,308 feet; Thence Westerly, a distance of 1,559 feet to the Eastern Right-of-Way of the Norfolk Southern Railway; Thence Southerly, along the Eastern Right-of-Way of the Norfolk Southern Railway, a distance of 5,112 feet to the North Right-of-Way of U.S. Highway 30; Thence Easterly along the North Right-of-Way of U.S. Highway 30, a distance of 861 feet to the centerline of Joliet Street; Thence Easterly along the centerline of Joliet Street, a distance of 2,406 feet to the intersection of the centerline of Joliet Street and the centerline of Anna Street; Thence Southerly along the centerline of Anna Street, a distance of 385 feet to the intersection of the centerline of Anna Street and the centerline of Wilhelm Street; Thence Easterly along the centerline of Wilhelm Street, a distance of 2,041 feet to the intersection of the centerline of Wilhelm Street and the centerline of Austin Avenue, being the point of beginning.

**TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 2006**

**AN ORDINANCE ESTABLISHING APPLICATION FEES AND CREATING A NON-REVERTING FUND APPLICABLE TO THE MUNICIPAL RIVERFRONT ECONOMIC DEVELOPMENT PROJECT AREA IN THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town Council of the Town of Schererville, Lake County, Indiana (hereinafter, the "Town Council"), has established a Riverfront Development Project Area (hereinafter, the "Area") by Resolution No. 2022-18, as permitted by recent legislation governing the Indiana Alcohol and Tobacco Commission permit the Town Council to authorize the creation and establishment of said Area; and

**WHEREAS**, the Town Council is informed and advised that within the established Area, the Indiana Alcohol and Tobacco Commission (hereinafter, the "ATC") may issue a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant which is either (1) on land, or (2) in a historic river vessel within a Municipal Riverfront Development Project pursuant to the provisions of I.C. § 7.1-3-20-16(d); and

**WHEREAS**, the Town Council is further informed and advised that pursuant to the provisions of I.C. § 7.1-3-20-16(a), a permit that is authorized under the aforementioned Indiana Code sections may be issued without regard to quota provisions set forth in I.C. § 7.1-3-22, at seq., as amended; and

**WHEREAS**, the Town Council is further informed and advised that pursuant to the provisions I.C. § 7.1-3-20-16(b), that a Municipal Riverfront Development Project Area where such permits are to be located must meet be funded in part with funds from the State of Indiana and the Town; and

**WHEREAS**, the Town Council now seeks to establish application and renewal fees for participation in the Area, which fees will be the source of Town funds to fund the area as required in part by I.C. § 7.1-3-20-16(b); and

**WHEREAS**, the Town Council now seeks to establish a non-reverting fund in which application and renewal fees for participation shall be deposited upon receipt by the Town into said non-reverting fund, with disbursements from said fund to be made as permitted by applicable Indiana law and as approved by the Town Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:**

**SECTION ONE:** The Town Council establishes that Applicants for a Schererville Riverfront District Liquor License shall pay an Application Fee of One Thousand Five Hundred (\$1,500.00) Dollars to the Town upon submission of said Application.

**SECTION TWO:** The Town Council establishes that holders/owners of a Schererville Riverfront District Liquor License shall pay an annual Riverfront District Fund Fee to the Town of Schererville in the amount of Five Thousand (\$5,000.00) Dollars.

**SECTION THREE:** That a Municipal Riverfront Development District Non-Reverting Fund for the Town of Schererville Municipal Riverfront Development District is hereby established for the deposit of funds received by the Town of Schererville from Applicants and Riverfront District Liquor License holders, to be used for purposes consistent with the promotion and development of the Municipal Riverfront Development District.

**SECTION FOUR:** That the Town of Schererville Clerk-Treasurer shall account for, maintain records of deposits and expenditures, and comply with all rules, regulations, and requirements of the Indiana State Board of Accounts for Fund Management in the State of Indiana, including reporting of same, all consistent with the rules, regulations, and requirements of the Indiana State Board of Accounts, as same are amended from time to time.

**SECTION FIVE:** That at the end of each budget/calendar year, monies remaining in the Town of Schererville Municipal Riverfront Development District Non-Reverting Fund shall remain in said fund, and no funds therein shall revert to the Town of Schererville General Fund, for usage consistent with the purposes established for the fund's usage in beautification, events, and promotions within the district.

**SECTION SIX:** That all existing Ordinances, and Town Code Sections, or part thereof, in conflict with the provision of this Establishment Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION SEVEN:** If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

**SECTION EIGHT:** This Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Schererville, Lake County, Indiana, and compliance with the provisions of applicable law.

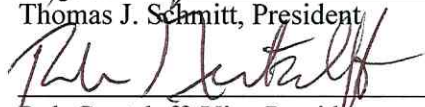
[SIGNATURES ON NEXT PAGE]



ALL OF WHICH IS PASSED AND ADOPTED THIS 10 DAY OF April,  
2024, BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY,  
INDIANA.

TOWN OF SCHERERVILLE, LAKE  
COUNTY, INDIANA, TOWN COUNCIL

  
\_\_\_\_\_  
Thomas J. Schmitt, President

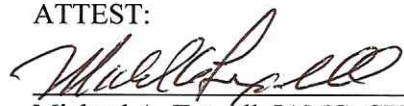
  
\_\_\_\_\_  
Rob Guetzloff, Vice-President

  
\_\_\_\_\_  
Robin Arvanitis, Member

  
\_\_\_\_\_  
Kevin Connelly, Member

  
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Caleb S. Johnson, Member

ATTEST:

  
\_\_\_\_\_  
Michael A. Troxell, IAMC, CPFIM, CMO, CMC  
Clerk-Treasurer

