

RESOLUTION NO. 15, 2005

**A RESOLUTION OF THE VALPARAISO COMMON COUNCIL
OF THE CITY OF VALPARAISO ESTABLISHING
OBJECTIVES AND CRITERIA FOR THE ISSUANCE OF
ALCOHOLIC BEVERAGE PERMITS
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 provides that after June 30, 2005, the Indiana Alcoholic Beverage 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 a district, that meets the statutorially created boundaries and which are approximately described as "downtown" Valparaiso; and

WHEREAS, the aforementioned legislation provides that the legislative body of the City of Valparaiso shall recommend to the Alcoholic Beverage Commission sites that are eligible to be permitted premises; and


WHEREAS, the Common Council of the City of Valparaiso is desirous of establishing objectives and criteria for making a recommendation to the Alcoholic Beverage Commission.

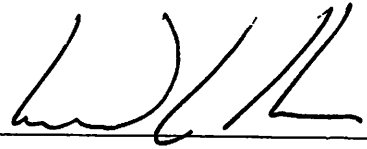
THEREFORE, be it hereby resolved by the Common Council of the City of Valparaiso that the objectives and criteria for license allocation, which are attached hereto and made a part of this Resolution as "Exhibit A," should be, and are, hereby adopted and approved by the Common Council of the City of Valparaiso for purposes of establishing a criteria for

recommending potential permit holders to the Alcoholic Beverage Commission pursuant to Indiana law.


All of which having been resolved, adopted and approved by the Common Council of the City of Valparaiso this 22nd day of ²⁶ ~~August~~ ^{Sept.}, 2005.














ATTEST:



Sharon Swihart, Clerk-Treasurer
City of Valparaiso

Exhibit A

Resolution No. 15, 2005

Valparaiso Downtown Alcoholic Beverage License Committee

Objectives and Criteria for License Allocation

The Indiana state legislature enacted Senate Enrolled Act N^o 282 (Act) which will be codified under the Indiana alcoholic beverage laws. The Act permits the Indiana Alcoholic Beverage Commission (ABC) to issue up to ten additional liquor licenses (one, two, or three-way)(Downtown Licenses) in historic downtown Valparaiso. The Valparaiso City Council (Council) may recommend to the Indiana ABC sites in the downtown where permits may be issued.

The Mayor has appointed a four-member committee (Committee) to recommend to the Council those sites that meet the qualifications in this Policy and are appropriate for Downtown Licenses.

Purposes and Goals

The purpose behind the Act is to further a key component of the city's downtown strategic plan by encouraging the location and operation of upscale restaurants in the historic downtown area. The goal is to provide the finest dining environment in Northwest Indiana in a single downtown district.

The Act also assists small business owners. These business owners invest not only in their business but also in our community. They are often active within the business community, sit on local boards, and participate in the local community.

The City, through implementation of the Act and this Policy, seeks to achieve the following:

- A. Increase the number and variety of upscale restaurants that operate in Valparaiso's downtown to a degree that distinguishes it as the best dining environment in Northwest Indiana.
- B. Assist local, talented restaurant owners to achieve success by providing them the ability to offer a full line of beverages to their clientele.
- C. Use the license allocation program to encourage recipients to make improvements to their buildings, support the downtown Business Improvement District (BID), participate in unified marketing efforts, encourage a healthy and fun atmosphere in the downtown, and to generally improve the downtown commerce activity and the City of Valparaiso.

Factors

The recommendation of the Committee will be based on several factors.

Corporate Condition and Operations. The Committee will consider the Applicant's (1) financial and ownership strength, which may best be demonstrated by a business plan, (2) history of operation, (3) reputation in the Valparaiso community and, if from other than Valparaiso, the Applicant's reputation in other communities, (4) the Applicant's owners' past participation in the Valparaiso community and the likelihood of continued participation of the owners in the future, (5) the control and participation of the owners of the Applicant in the day to day operation of the business, and (6) the nature of the jobs added to or retained in the Valparaiso employment base.

Restaurant Operations. The Committee will consider the Applicant's (1) experience operating a restaurant similar to that proposed, (2) the upscale nature of the restaurant and its proposed menu, (3) the unique features of the proposed restaurant, (4) the restaurant's ability to draw people to Valparaiso and, specifically, the downtown area, and (5) the focus of the restaurant to provide a dining experience rather than an alcohol consumption experience.

Community Participation and Commitment. The Committee will consider the Applicant's (1) commitment to the downtown area and the Valparaiso community in general and (2) the impact of the business on the downtown and Valparaiso in general.

Location and Physical Elements. The Committee will consider (1) the location of the restaurant, (2) the size, floor plan, and layout of the restaurant and exterior dining areas, if any, (3) 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 downtown area, (4) any physical improvements to the restaurant, and (5) the expected timetable for work and business commencement.

Other Considerations. The City encourages Applicants to include in the Application any other factors that will aid the City to evaluate the application. All other considerations, favorable and unfavorable, will be considered.

Included with this document is an application that summarizes the numerous considerations which will be considered when weighing an application for a Downtown License. It will aid the Committee and Council to determine the merit of an application and develop any conditions upon which the recommendation is made. The summary should serve as a guide to assist the Council in evaluating the request according to the criteria set forth by the state and the Council.

Application procedure.

The application process is as follows:

1. First, the Applicant will meet with the Valparaiso Economic Development Director to review of the Application requirements and the proposed location. All communications concerning the application shall be made through the Valparaiso Economic Development Director. No direct communication will be made by the applicant or others to the Committee members.
2. Second, the Applicant will file with the Valparaiso Economic Development Director the application for a Downtown License. The Application will be in the form promulgated by the Committee. Where appropriate, the form may include forms used by the Indiana ABC. These forms must be completed to apply with the state in order to obtain the state license.
3. Third, the applicants will attend a public hearing of the Committee to present its project and to offer evidence to support the Application..
4. Fourth, the applicant will attend a public meeting of the Valparaiso City Council to present its project and to offer evidence to support the Application.

Additional Requirements of Restaurants

1. The Act provides that an Applicant is not eligible to obtain a permit if, less than two years before the date of application , the applicant sold a retailer's permit that was subject to Indiana Code 7.1-3-22 and that was for a site within the downtown district or within 500 feet of the district. **Permits are nontransferable.**
2. All restaurants must be non-smoking.
3. Applicants will be full paying members of the downtown BID when it is established.
4. Applicants will be full paying members in the Downtown Dining Marketing Fund when it is established, which shall not exceed \$500 per month for each restaurant before September 1, 2008 ^{and thereafter} ^{after that date shall be \$500} ^{per license per as determined by the} ^{Alcohol Beverage Bd.}
5. The restaurant must comply with all building, health, and zoning laws and ordinances. The restaurant shall also comply with the architectural standards for the downtown area established by the architecture review committee and provide evidence of the restaurant's architectural approval by such body.
6. The applicant will enter into a written commitment with the City to comply with this Policy and any conditions that the City places on the restaurant.

Valparaiso Downtown Alcoholic Beverage License Application

In addition to completing the attached Indiana State Form (TBA) "Application for New Downtown Alcoholic Beverage License" for the Indiana Alcohol & Tobacco Commission, the Committee requires each applicant to provide complete answers to the following:

Corporate Condition and Operations:

Provide an executive summary of your business plan, including indicators of:

- the demonstrated financial strength of the business and the owners;
- a description and history of the operation;
- your reputation in your business community;
- the participation of owner(s) in the day-to-day operation of the business;
- the number and nature of the jobs added or retained in Valparaiso.

Restaurant Operations:

Provide a summary of your restaurant operations which includes references to:

- experience operating a restaurant similar to that proposed;
- the upscale nature of the restaurant and its proposed menu;
- the unique features of the proposed restaurant;
- the restaurant's ability to draw people to downtown Valparaiso;
- quantifiable information indicating the focus of providing a dining experience rather than an alcohol consumption experience.

Community Participation and Commitment:

Provide information supporting your demonstrated commitment to the Community by addressing the following with specific responses:

- commitment to the Valparaiso community, and the downtown area;
- indicators of the impact of the business on the downtown and Valparaiso in general.

Location and Physical Elements:

Provide information on the following:

- the location of the establishment;
- the size, floor plan, and layout of the establishment;
- exterior dining areas, if any;
- consistency of the architectural elements with the downtown architecture;
- describe, in detail, the estimated investment in personal property and real property improvements;
- Expected date of business commencement.

Other Considerations:

Please outline any other factors which may aid the Committee in the consideration your application.



APPLICATION FOR NEW OR TRANSFER PERMIT

State Form (TBA)

INSTRUCTIONS. 1. Type or print legibly.

2. Submit in duplicate. Include payment.
3. Do not complete shaded areas.
4. Mail to the address at the end of this application form.
5. If there is no opening for this applied permit or there is an omission, this application will be returned.

STEP 1. GENERAL INFORMATION

This Permit Type will allow you to sell? <input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Liquor	This Permit Type is for? <input type="checkbox"/> On-premise consumption (Retailer) <input type="checkbox"/> Off-premise consumption (Dealer) <input type="checkbox"/> Other (Specify Below)	Application type? <input type="checkbox"/> New application <input type="checkbox"/> Transfer owner <input type="checkbox"/> Transfer location <input type="checkbox"/> Transfer stock
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Please briefly describe your business that qualifies you for this permit type _____

Permit number (Required for transfers) _____

This ownership entity is: (Check one)

<input type="checkbox"/> Sole Owner	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Municipality
<input type="checkbox"/> Simple Partnership	<input type="checkbox"/> Limited Liability Partnership	<input type="checkbox"/> Club Association
<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Club Corporation

Business entity making this application _____ Business telephone number _____

Doing business as (DBA) _____

Location where alcoholic beverages will be dispensed (number and street) _____ Premise telephone number _____

City / Town _____	State _____	ZIP code _____
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Indiana retail merchant's certificate number _____	Home telephone number (including area code) _____	Email address _____
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General Questions Part 1

1. The proposed premise is located in what county? _____
2. Is the proposed permit premise located inside the corporate limits of a city / town? Porter
 Yes No
3. If yes, please name the incorporated city / town. Valparaiso
4. If no, please name the unincorporated community which has been known by that name for more than ten years. (This is only required for a beer or a beer and wine application.) _____
5. Is there at least 200 feet between this premise and any church or school? Yes No

If no mail receptacle at this location or you wish to have your correspondence sent to another address:

Name _____

Address _____

City, State, Zip _____

General Questions Part 2

1. Do you understand that you must apply for a Federal ID number? Yes No
2. Do you understand that you must apply for a Federal Stamp from the Bureau of Alcohol, Tobacco, and Firearms (BATF)? Yes No
3. Does the permittee have an interest in any distiller, vintner, farm winery, rectifier, brewer, primary source of supply, or wholesaler permit? Yes No
4. As owner do you manage the premise? Yes No
If no, please complete the Manager's Questionnaire and attach it to this application.
5. Do you sell tobacco products? Yes No
6. Do you know that an Excise Officer may enter, inspect, and search your permit premise without a warrant or other process to determine if you are complying with the provisions of the Indiana alcoholic beverage laws / rules? Yes No
7. Do you have the right to possess (rent, lease, mortgage, or own) the permit premise for the term of the permit? Yes No

FOR OFFICE USE ONLY

Date received
Permit number
Permit type
Quota check
Jurisdiction
Checked by
Base fee receipt number
Balance due
Refund
Catering receipt number
Balance due
Refund
Date reviewed
Local Board hearing date
Commission approved
Permit issued
Expiration date
Permit released
Remarks

STEP 2. ANNUAL FOOD SALES

****FOR EXISTING BUSINESSES ONLY****

Required for the following permits: Type 209 (except golf courses); All retail permits with less than 60% ownership by Indiana residents; Retail permits with limited bar / family room separation.

Date of beginning report (month, day, year)

Date of ending report (month, day, year)

Gross food sales (excluding all carryout and catering sales)

Gross alcoholic beverage sales

Total gross food and beverage sales

STEP 3. QUALIFICATIONS

SOLE OWNER / PARTNERSHIP PERMIT:

If applying as a sole owner or partnership for any type of permit, answer the following questions:

Yes No Are you now and have you been a continuous and bona fide resident of this state for five (5) years?

CORPORATION PERMIT: (PLEASE ATTACH COPY OF "CERTIFICATE OF EXISTENCE" FROM THE INDIANA SECRETARY OF STATE)

If applying as a corporation for any type permit, answer the following questions:

Yes No Is at least 60% of the outstanding common stock owned by persons who have been continuous and bona fide residents of this State for five (5) years? (For exceptions, see IC 7.1-3-21-6.)

Yes No If you are a corporate wholesaler, is at least one (1) of the stockholders a resident of the county in which the licensed premise is situated for at least one (1) year immediately prior to making application for the permit?

Yes No Is the applicant a retailer corporation with 41% or more of the common stock held by out of state stockholders? (If the answer is yes, you must agree to and initial below.)

I hereby affirm that the annual gross food sales at the permit location currently exceed One Hundred Thousand Dollars (\$100,000) or in the case of a new applicant are expected to exceed Two Hundred Thousand Dollars (\$200,000) by the end of the two year period commencing on the date of issuance of the permit will, thereafter, exceed One Hundred Thousand Dollars (\$100,000) per annum.

LLC / LLP PERMIT: (PLEASE ATTACH COPY OF "CERTIFICATE OF EXISTENCE" FROM THE INDIANA SECRETARY OF STATE)

If applying as a limited partnership, limited liability company, or limited liability partnership for any type permit, answer the following questions:

Yes No Is at least 60% of the ownership interest held by persons who have been continuous and bona fide residents of this State for five (5) years? (For exceptions, see IC 7.1-3-21-6.)

If a limited partnership, limited liability company, or limited liability partnership wholesaler, at least one (1) of the stockholders must have been a resident of the county in which the licensed premise is situated for at least one (1) year immediately prior to making application for the permit.

Yes No Is the applicant a retailer limited partnership, limited liability company or limited liability partnership applying with 41% or more of the ownership interest held by out of state residents? (If the answer is yes, you must agree to and initial the statement below.)

I hereby affirm that the annual gross food sales at the permit location currently exceed One Hundred Thousand Dollars (\$100,000) or in the case the case must have of a new applicant are expected to exceed Two Hundred Thousand Dollars (\$200,000) by the end of the two year period commencing on the date of issuance of the permit will, thereafter, exceed One Hundred Thousand Dollars (\$100,000) per annum.

THE FOLLOWING QUESTIONS PERTAIN TO ALL INDIVIDUALS HAVING AN INTEREST IN THIS APPLICATION.

Yes No Have any individuals with an interest in this permit been convicted of a felony or a misdemeanor? (If yes, please attach letter with dates, court, conviction, and sentence of new conviction.)

Yes No Have any individuals with an interest in this application ever been convicted of a violation of the Indiana Alcoholic Beverage laws, rules, regulations, or orders of the Commission?

Yes No Are all individuals with an interest in this application citizens of the United States?

Yes No Are all individuals with an interest in this application of sound mind, good moral character, and good repute in the community in which they reside?

Yes No Are any individuals with an interest in this application a law enforcement officer, or an officer of a municipal corporation, or government subdivision, or of this state charged with any duty or function in the enforcement of this title?

Yes No Have any individuals with an interest in this application held a permit under this title and has the permit been revoked within one year prior to the date of this application?

Yes No Have any individuals with an interest in this application made an application for a permit of any type which has been denied less than one year prior to this application for a permit? (unless the application was denied by reason of a procedural or technical defect.)

Yes No Do any individuals with an interest in this application hold any other permit of any kind connected with the sale of alcoholic beverages, or do they have any interest in any such permit directly or indirectly, through ownership of stock or otherwise? If yes, list permit numbers below:

Permit numbers

Yes No Are you indebted to a person or an officer or agent of that person, who holds a brewer's permit or wholesale permit, for a debt, secured by a lien, mortgage, or otherwise upon the premises for which the beer retailer permit is to be applicable or upon any of the property or fixtures in the premises, or used, or to be used in connection with the premises?

STEP 4. AFFIDAVIT OF OWNERSHIP

Complete Name	Social Security Number	DOB	Citizen of US <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (number and street, city, state, ZIP)			
Nature of interest <input type="checkbox"/> Sole Owner <input type="checkbox"/> Corporate President <input type="checkbox"/> Stockholder <input type="checkbox"/> Partner <input type="checkbox"/> Corporate Secretary <input type="checkbox"/> Club Officer			Percent of ownership
Complete Name	Social Security Number	DOB	Citizen of US <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (number and street, city, state, ZIP)			
Nature of interest <input type="checkbox"/> Sole Owner <input type="checkbox"/> Corporate President <input type="checkbox"/> Stockholder <input type="checkbox"/> Partner <input type="checkbox"/> Corporate Secretary <input type="checkbox"/> Club Officer			Percent of ownership
Complete Name	Social Security Number	DOB	Citizen of US <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (number and street, city, state, ZIP)			
Nature of interest <input type="checkbox"/> Sole Owner <input type="checkbox"/> Corporate President <input type="checkbox"/> Stockholder <input type="checkbox"/> Partner <input type="checkbox"/> Corporate Secretary <input type="checkbox"/> Club Officer			Percent of ownership
Complete Name	Social Security Number	DOB	Citizen of US <input type="checkbox"/> Yes <input type="checkbox"/> No
Address (number and street, city, state, ZIP)			
Nature of interest <input type="checkbox"/> Sole Owner <input type="checkbox"/> Corporate President <input type="checkbox"/> Stockholder <input type="checkbox"/> Partner <input type="checkbox"/> Corporate Secretary <input type="checkbox"/> Club Officer			Percent of ownership

If you need more space, please attach additional sheets.

STEP 5. PERMIT TYPE SPECIFIC QUESTIONS

You must meet specific requirements to hold certain types of permits. Please answer only the following questions that are applicable to your permit application.

LIQUOR RETAILER

- Yes No Is the proposed permit premise located in an incorporated city having a population of less than 5,000?
 Yes No If the answer is yes, have you attached to the application the enabling ordinance from the city consenting to the issuance of liquor retailer's permits?

CATERING HALL

- Yes No Are you applying for a special three-way catering hall permit that will allow you to sell alcoholic beverages for on-premise consumption only on a premise that is used only for private catered events and has accommodations for at least 250 individuals?

CLUBS

- Social Club Fraternal Club If you are applying for a club permit, please check the appropriate box.
 Yes No If a social club, does your association or organization meet the general requirements of IC 7.1-3-20-1?
 Yes No If your club permit premise is outside the corporate limits, do you meet the requirements of IC 7.1-3-20-3?

HOTEL

- Yes No If you are applying as a hotel, do you meet the general requirements of IC 7.1-3-20-18?

HISTORIC DISTRICT

- Yes No If you are applying for historic district permit, is the restaurant located in a facility that is on the National Register of Historic Places or is it located within the boundaries of a historic district established by ordinance? If yes, you must submit the appropriate verification.

AIRPORT, REDEVELOPMENT, RIVERFRONT, RAILWAY STATION, CULTURAL CENTER

- Yes No If you are applying for a permit authorized by IC 7.1-3-20-16, do you meet the requirements for the designated permit? Specify the type of permit you are applying for: _____

NOTE: If you are applying for a municipal riverfront development permit, you must also submit a letter indicating that the statutory requirements have been met and the mayor's approval of the permit.

STEP 5. PERMIT TYPE SPECIFIC QUESTIONS CONTINUED

DRUG STORE

Yes No If you are the proprietor of a drug store, do you hold a valid permit issued by the State Board of Pharmacy?

NOTE: You must designate on your floor plan the pharmacy area that has been submitted and approved by the State Board of Pharmacy.

Pharmacy Permit Number	Issuance Date	Expiration Date
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RIVERBOAT

Yes No Are you applying for a riverboat / excursion permit and do you currently hold a valid riverboat owner's license issued by the Indiana Gaming Commission?

Riverboat Owner's License Number	Issuance Date	Expiration Date
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Yes No Are you applying for an adjacent landsite permit?

HORSE TRACK

Yes No Are you applying for a horse track permit and do you currently hold a valid recognized meeting permit issued by the Indiana Gaming Commission?

Recognized Meeting Permit Number	Issuance Date	Expiration Date
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Yes No Are you applying for a satellite permit?

Satellite Facility License	Issuance Date	Expiration Date
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BOAT (SEASONAL)

Yes No If you are applying for a boat permit, do you engage in regular passenger service which makes regular runs in seasonal weather between established locations?

BEER WHOLESALER

Yes No Do you have available for investment capital and cash or property necessary and useful in your business, exclusively as a beer wholesaler, of at least \$15,000 (exclusive of motor vehicles), and do you agree that you will, if the application is granted, actually make the investment and submit proof to the Commission before you engage in business as a beer wholesaler?

BREWER

Yes No I certify that the projected number of barrels of beer to be manufactured during the permit year will not exceed 20,000 barrels. (A barrel equals 31 gallons.) (Small Brewer)

Yes No I certify that the projected number of barrels of beer to be manufactured during the permit year will exceed 20,000 barrels. (A barrel equals 31 gallons.) (Brewer)

WINERY

Check if you qualify and are applying for one of the following permits:

- Vintner (IC 7.1-3-12-1)
- Farm Winery (IC 7.1-3-12-3)
- Farm Winery Brandy Distiller (IC 7.1-3-7.5-2)

BOND REQUIREMENTS

The following applicants are required to file with this application the appropriate non-revocable surety bond, made payable to the State of Indiana. Check the appropriate bond amount if applicable:

- Brewer (\$10,000)
- Distiller (\$10,000)
- Liquor Wholesaler (\$10,000)
- Rectifier (\$15,000)
- Vintner (excludes farm winery) (\$1,000)

STEP 6. MANAGER'S QUESTIONNAIRE

Name of manager <i>(last, first, middle initial)</i>				Social Security Number		
ATC Employee permit number	Expiration date	Age	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth	Height	Weight
Home address <i>(number and street)</i>						
City, state, zip						
Are you a citizen of the United States?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are you at least twenty-one (21) years old?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Is it true that you are not an officer or employee of a person engaged in the alcoholic beverage traffic, which person is a non-resident of this state, or is engaged in carrying on any phase of manufacture of, traffic in, or transportation of alcoholic beverages without a permit when one is required?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are you a State law enforcement officer, or a non-elected officer of a municipal corporation or government subdivision charged with any duty or function in the enforcement of Alcoholic Beverage Laws?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Has your alcoholic beverage permit been revoked within one year prior to the date of this application for a permit?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Have you made an application for a permit of any type which has been denied less than one year prior to this application for a permit? <i>(Unless the application was denied by a reason of a procedural or technical defect.)</i>				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Are you now, and have you been for the last five years a continuous and bona fide resident of the State of Indiana? If no, does the permit premise you are managing have a minimum annual gross food sales of at least \$100,000?				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Do you hold any other permit of any kind for the sale of alcoholic beverages in Indiana, or do you have any interest in any such permit, directly or indirectly, through ownership of stock or otherwise? If yes, explain below:				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Have you been convicted of a felony? If yes, attach places and dates of arrest, court of record, and conviction and attach relevant court record.				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Have you been convicted of a violation of the Indiana Alcoholic Beverage Laws, rules, regulations, or orders of the Commission? If yes, explain on a separate attachment.				<input type="checkbox"/> Yes <input type="checkbox"/> No		
Signatures of manager or agent(s) referred to in this schedule						

STEP 7. FLOOR PLAN

INSTRUCTIONS: *Applicant must submit four (4) drawings on letter size paper (8 1/2" x 11"). These drawings must show dimensions and identifications of any existing family room(s), seating arrangement(s), ballroom(s), service bar(s), dance floor area(s), kitchen area(s), restrooms, storage and office areas, exits, and alcoholic beverage display areas for all types of permits. Please sign and date each drawing.*

Yes No If a restaurant or a restaurant located in a hotel or motel, will anyone under the age of 21 be guests to the permit premise? If the answer to the above question is "yes," it should be understood that there must be COMPLETE SEPARATION of the barroom from the room or rooms where individuals under the age of 21 will be present.

Yes No Are you requesting approval for limited separation?

NOTE: ALL DRAWINGS MUST BE APPROVED BY THE COMMISSION BEFORE THE PERMIT IS ISSUED. WE RECOMMEND YOU RECEIVE APPROVAL BEFORE CONSTRUCTION BEGINS. CONTACT YOUR LOCAL EXCISE DISTRICT OFFICE.

(Please attach all drawings to this application)

STEP 8. AFFIRMATION OF APPLICANT

Name of applicant (*individual, corporation, partnership, LLC, LLP*)

I certify that this application was completed by myself or by the preparer identified herein. I certify that all information provided herein and on any attachments are true and correct. **I UNDERSTAND THAT IT IS A FELONY TO MISREPRESENT OR FALSIFY ANY PORTION OF THIS APPLICATION OR ATTACHED DOCUMENTS.**

I hereby consent for the duration of the permit term to inspection and search by an enforcement officer, without a warrant or other process, of my licensed premise and vehicles to determine compliance with the provisions of I.C. 7.1.

Printed name and title of applicant	Signature	Date
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NOTE: The applicant MUST sign this application unless the proper Power of Attorney forms are attached to this application.

STEP 9. SIGNATURE OF PREPARER (IF APPLICABLE)

I certify that I have examined this application and the accompanying documents, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature of preparer	Telephone number (<i>including area code</i>)	Date
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STEP 10. FEES

Please remit business, certified checks, or money order - application will not be processed without payment

One-way (beer only) =	\$500
Two-way (beer & wine only) =	\$750
Three-way (beer, wine, & liquor) =	\$1,000
Except Fraternal Clubs =	\$250
Catering =	\$150
Transfer of Permit=	\$250 Each transfer type

MAIL TO:

INDIANA ALCOHOL & TOBACCO COMMISSION
302 W. Washington Street, Room E114
Indianapolis, IN 46204
(317) 232-2430
<http://www.state.in.us/atc>



STATE OF INDIANA
ALCOHOL AND TOBACCO COMMISSION

302 West Washington Street
IGCS Room E114
Indianapolis, IN 46204
Telephone 317 / 232-2430
Fax 317 / 233-6114
www.IN.gov/atc

August 16, 2005

VIA E-MAIL & MAIL

Charles McGill
Economic Development Director
City of Valparaiso
166 W. Lincolnway
Valparaiso, IN 46383

*Re: Senate Enrolled Act No. 282 –
Objectives and Criteria for Allocation of Beverage Licenses*

Dear Mr. McGill:

I am in receipt of the Valparaiso Downtown Alcoholic Beverage Committee, Objectives and Criteria for License Allocation. Your goals and factors to be considered for allocation of alcoholic beverage licenses seem to conform with the Senate Enrolled Act No. 282. Therefore, I have no objections to your office presenting the above document to the Valparaiso City Council on August 22, 2005.

Thank you for your courtesy and please keep us informed of any and all developments related to the Senate Enrolled Act No. 282.

Sincerely,

DAVE HEATH
Chairman
Indiana Alcohol & Tobacco Commission

