

**CITY OF SHEBOYGAN
RESOLUTION 42-24-25**

BY ALDERPERSONS RUST AND LA FAVE.

JULY 15, 2024.

A RESOLUTION authorizing the creation of a temporary Designated Outdoor Refreshment Area during the 2024 Mercury Racing Midwest Challenge, August 9-11, 2024.

WHEREAS, the Common Council, by Ordinance 11-24-25, to be adopted on August 5, modified section 38-59 of the Sheboygan Municipal Code to allow for the creation of a Designated Outdoor Refreshment Area (“DORA”) to permit the carrying of open containers and consumption of alcoholic beverages within the DORA boundaries during such times and under such conditions as the Council may specifically permit by authorizing resolution; and

WHEREAS, the City desires to support local businesses during the 2024 Mercury Racing Midwest Challenge by creating a temporary Designated Outdoor Refreshment Area (“DORA”) encompassing the South Pier district, which would allow the lawful carrying and consumption of intoxicating liquor and fermented malt beverages by persons within the DORA.

NOW, THEREFORE, BE IT RESOLVED: That pursuant to amended section 38-59 of the Sheboygan Municipal Code, there is hereby created a DORA permitting the carrying and consumption of alcoholic beverages with the following conditions:

- The DORA boundaries shall be defined as shown on the attached Exhibit, “Temporary South Pier DORA District.”
- The carrying and consumption of alcoholic beverages within the Temporary South Pier DORA District (“TSPDD”) shall be limited to August 9 – 11, 2024, during the hours of 10:00 a.m. to 10:00 p.m.
- The TSPDD shall terminate at 10:00 p.m. on August 11, 2024.
- The carrying and consumption of alcoholic beverages within the TSPDD is limited to sidewalks and other portions of the right-of-way not open to vehicular traffic including crosswalks or other pedestrian crossing areas while persons are lawfully crossing the street, and to pedestrian ways and grassy areas unless otherwise marked.
- The carrying and consumption of alcoholic beverages shall not be permitted on South Pier, on the Indiana Avenue right-of-way, or west of the intersection of Indiana Avenue and South Pier Drive, on parking lots or premises held out to the public for use of motor vehicles, nor upon any private property without permission of the owner or occupant.
- The exception shall not permit the possession or consumption of any intoxicating liquor or fermented malt beverages in violation of the provisions of state statutes or other

municipal codes, including but not limited to the possession or consumption of alcohol beverages on a licensed premises which were not purchased at that premises, possession or consumption of alcohol beverages on premises without a license that are open to the public, possession or consumption by underage persons or any other violation.

- All alcohol beverages sold by individual servings for removal from a licensed premise for consumption with the TSPDD shall be served in unbreakable, transparent or semi-transparent containers, except that beverages may be served in their original packaging if such packaging is plastic or aluminum. Beverages sold or possessed in glass containers shall not be permitted to be opened or consumed within the TSPDD.
- The City shall retain the right to suspend or terminate the TSPDD at any time when, in the judgment of the Police Chief, Mayor, or City Administrator, such action is necessary in the interest of public safety or to address issues and concerns that may arise in relation to the TSPDD, including but not limited to non-compliance of businesses/patrons with the conditions of this resolution, trash and debris or disorderly conduct associated with the TSPDD.
- The City will bear responsibility for costs associated with carrying out the TSPDD including, by example, additional police presence and refuse collection.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan