

**CITY OF SHEBOYGAN
RESOLUTION 67-24-25**

BY ALDERPERSONS RUST AND LA FAVE.

SEPTEMBER 3, 2024.

A RESOLUTION authorizing the creation of a temporary Designated Outdoor Refreshment Area during Riverfest on September 21, 2024.

WHEREAS, the Common Council, by Ordinance 11-24-25 adopted on August 5, 2024, 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 business and nonprofits during Riverfest by creating a temporary Designated Outdoor Refreshment Area (“DORA”) encompassing portions of the Riverview Park Boardwalk and portions of the parking lot and drive lane immediately north of Parker John’s restaurant.

NOW, THEREFORE, BE IT RESOLVED: That pursuant to 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 Riverfest DORA.”
- The carrying and consumption of alcoholic beverages within the Temporary Riverfest DORA District (“TRDD”) shall be limited to September 21, 2024 during the hours of 11:00 a.m. to 5:00 p.m.
- The TRDD shall terminate at 5:00 p.m. on September 21, 2024.
- The carrying and consumption of alcoholic beverages within the TRDD is limited to the alcohol service area, 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. Portions of parking areas that are incorporated into the TRDD shall be fenced or otherwise barricaded or marked to prohibit vehicular access.
- The carrying and consumption of alcoholic beverages shall not be permitted on boat slips abutting the TRDD, in parking lots or premises held out to the public for use of motor vehicles, nor on 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 alcoholic beverages on a licensed premises which were not purchased at that premises, possession or consumption of alcoholic beverages on premises without a license that are open to the public, possession or consumption by underage persons or any other violation.
- All alcoholic beverages sold by individuals servings for removal from a licensed premise for consumption with the TRDD 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 TRDD.
- Only alcohol served within the DORA is permitted to be carried within the DORA. No carry-ins will be allowed.
- The City shall retain the right to suspend or terminate the TRDD 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 TRDD, including but not limited to non-compliance of businesses/patrons with the conditions of this resolution, trash or debris or disorderly conduct associated with the TRDD.
- The Riverfest organizers shall clearly mark the TRDD boundaries in accordance with any direction given by City staff or law enforcement.

- Common Council approval of this resolution is contingent upon a timely submission of a complete contingency plan and approval of the same by the Police Chief, Fire Chief, and City Administrator. The contingency plan shall include, but is not limited to, the following plans and provisions: crowd control plans, how event staff to enforce the DORA boundaries, how alcohol servers will be trained, how alcohol servers will be checking for IDs, and how alcohol servers will be checking for over intoxication.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan