

ORDINANCE

AN ORDINANCE ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA)

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 11.015 is created to read as follow:

“Downtown Outdoor Refreshment Area (DORA)

(1) Purpose and Intent. The purpose of this ordinance is to create a Designated Outdoor Refreshment Area (DORA) to enhance the downtown experience for visitors and tourists by allowing the responsible consumption of alcohol beverages (beverages containing alcohol) outdoors and within specified boundaries. This initiative aims to promote economic activity and support local businesses in the city’s downtown district.

(2) Definitions.

Designated Outdoor Refreshment Area (DORA): A specific area within the city where alcoholic beverages purchased from participating establishments may be carried and consumed outdoors in compliance with this ordinance.

Participating Establishments: Licensed businesses within the DORA authorized to sell alcoholic beverages in approved containers for outdoor consumption.

(3) Designation of the DORA.

- a. The DORA boundaries shall encompass the area shown on Exhibit A.
- b. The DORA will operate annually from April 15 through October 31.
- c. The DORA will operate during the following hours: 9 a.m. to 9 p.m. CT.

(4) Permitted Activities Within the DORA.

- a. Alcohol beverages purchased from participating establishments may be carried and consumed within the DORA, subject to restrictions (see subsection 5, below).
- b. All alcohol beverages must be served in city-approved, unbreakable, and transparent or semi-transparent containers marked with the logo or name of the participating establishment.

- c. Patrons must remain within the defined boundaries of the DORA while consuming alcohol beverages purchased at participating establishments.

(5) Restrictions Within the DORA.

- a. Consumption of alcohol beverages is prohibited on private property without the owner's explicit consent.
- b. Consumption of alcohol beverages in glass containers served from participating establishments is strictly prohibited. All consumption of alcoholic beverages outside in the DORA that were purchased from participating establishments must be consumed from plastic containers.
- c. Patrons may not bring alcohol beverages into establishments that serve alcoholic beverages or food unless the alcohol beverage was purchased at that establishment.
- d. All state and local laws regarding the legal drinking age, public intoxication, and disorderly conduct remain in effect.

(6) Licensing and Compliance. Participating establishments must apply for a DORA permit and adhere to the following requirements:

- a. Use approved containers for alcohol beverages.
- b. Display clear signage indicating participation in the DORA program.
- c. Educate staff about DORA rules and regulations.

(7) City Responsibilities.

- a. The City Clerk shall maintain a registry of participating establishments and issue permits upon verification of an appropriate and valid alcohol license.
- b. Waste disposal and recycling receptacles throughout the DORA.
- c. The city retains the right to suspend or terminate the DORA temporarily or permanently in response to public safety concerns or non-compliance.

(8) Violations:

- a. Violation by Individuals: A violation by an individual shall be punishable by a forfeiture of not more than \$100 for each offense.
- b. Violation by participating and licensed business: A violation by a business that possesses a valid DORA permit shall be punishable by a forfeiture of not less than \$100 and not more than \$500 for each offense.

- c. Violation by non-license business: A violation by a business that does not possess a valid DORA permit shall be punishable by a forfeiture of not less than \$500 and not more than \$1000 for each offense.
- d. Any business failing to comply with DORA requirements may have its permit revoked without notice by the Municipal Clerk.

(9) Annual Review. The DORA program shall be reviewed annually by the Common Council to assess its effectiveness and determine any necessary amendments or continuance.

Section 2: Effective Date. This ordinance shall take immediate effect upon its adoption and publication as required by law.

INTRODUCED: _____

ADOPTED: _____

APPROVED: _____

Justin M. Nickels, Mayor

Fiscal Impact:

Fiscal impact for establishing ordinance is indeterminate at this time. Costs to be incurred in the future will be for marketing materials, equipment (additional trash receptacles), etc. All costs anticipated to be absorbed within the 2025 adopted budget. No additional tax levy or 2025 budget amendments needed.

Funding Source:

Visit Manitowoc Special Revenue Fund (Fund 2870) | Community Development (1100-61100)

Finance Director Approval: /SMA

Approved as to Form: /EGN

This Ordinance was drafted by Eric G. Nycz, City Attorney