

RESOLUTION NO. 1-2011

**A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF VALPARAISO RECOMMENDING ISSUANCE OF A
DOWNTOWN ALCOHOLIC BEVERAGE PERMIT 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

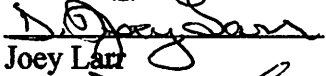
WHEREAS, the aforementioned legislation provides that after June 30, 2005, the Indiana Alcohol & Tobacco Commission may issue not more than ten (10) new three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be the proprietor, as 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 statutorily created boundaries and which are approximately described as "downtown" Valparaiso; and

WHEREAS, the Common Council of the City of Valparaiso adopted Resolution No. 15 on August 22, 2005, establishing objectives and criteria for issuance of Valparaiso Downtown Alcoholic Beverage Permits; and

WHEREAS, the Valparaiso Downtown Alcoholic Beverage Licensing Committee has accepted and reviewed applications for the Downtown Alcoholic Beverage permits and has recommended issuance of a permit to Margarita's Bar & Grill Restaurant.

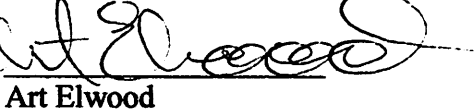
THEREFORE, it is hereby resolved by the Common Council of the City of Valparaiso that Margarita's Bar & Grill Restaurant should be, and is, hereby recommended for a Valparaiso Downtown Alcoholic Beverage Permit. Such recommendation being conditioned upon full compliance with the objectives and criteria contained in Resolution 15, and pursuant to I.C. 7.1-

3-20-16(g).

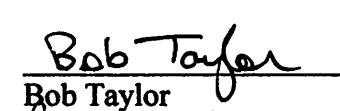

Joey Larr


Michael Baird

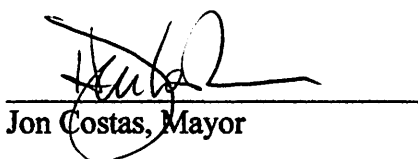

John Bowker


Art Elwood


Deb Butterfield


Bob Taylor


Jan M. Dick


Jon Costas, Mayor

ATTEST:


Sharon Swihart, Clerk-Treasurer
City of Valparaiso

COMPLIANCE AGREEMENT

This Agreement is entered into this ____ day of _____, by and between the CITY OF VALPARISO, by and through its COMMON COUNCIL, and Margarita's Bar & Grill Restaurant, an applicant for Downtown Alcoholic Beverage Permit pursuant to I.C. 7.1-3-20-16(g). The purpose and intent of this agreement is to memorialize and document certain understandings and commitments entered into between these parties as related to the applicant's request that the Common Council recommend to the Alcohol and Tobacco Commission issuance to the applicant of a Valparaiso Downtown Alcoholic Beverage Permit pursuant to I.C. 7.1-3-20-16(g). As a condition precedent to a favorable recommendation by the Common Council, the Valparaiso Downtown Alcoholic Beverage Permit Applicant makes the following commitments, representations and agreements:

1. That all of the data, information and documentation provided to the Valparaiso Downtown Alcoholic Beverage License Committee is accurate and true to the best knowledge, information and belief of the applicant.
2. That the applicant agrees to all of the terms and conditions contained in the Valparaiso Downtown Alcoholic Beverage License Committee objectives and criteria for license allocation document as such was originally adopted by the Common Council as Resolution 15-2005 and as may be subsequently amended by the Common Council. The current version of that document having been attached hereto and make a part hereof as **Exhibit A**.
3. That the applicant agrees to comply with the provisions of I.C. 7.1-3-20-16(g).
4. That the applicant agrees to operate its establishment in full and complete compliance with the laws of the State of Indiana including the Indiana alcoholic beverage laws and in so doing remain in good standing with the Alcoholic and Tobacco Commission.
5. That the applicant agrees to operate its establishment in full and complete compliance with Valparaiso City Ordinances and in so doing allow a designated representative from the City of Valparaiso access to the establishment upon reasonable notice.

ALL OF THIS HAVING BEEN AGREED TO by the parties on the date first indicated above and memorialized by the signatures contained herein.

VALPARAISO COMMON COUNCIL

By: _____

DOWNTOWN ALCOHOLIC BEVERAGE
PERMIT APPLICANT

By: _____