

**WHITELAND TOWN COUNCIL  
ORDINANCE NO. 2024-03**

**AN ORDINANCE CONSENTING TO LIQUOR RETAILER'S PERMITS  
WITHIN THE TOWN OF WHITELAND, INDIANA**

WHEREAS, I.C. 7.1-3-9-3 provides that, "The legislative body of a city or town that has a population of less than five thousand (5,000) shall have the power and jurisdiction to enact an enabling ordinance consenting that liquor retailer's permits may be issued to applicants in respect to premises located within the city or town";

WHEREAS, the Whiteland Town Council (the "Council") as the legislative body of the Town of Whiteland (the "Town") desires to enact, and intends for this ordinance to be, an enabling ordinance consenting that liquor retailer's permits may be issued to applicants in respect to premises located within the Town of Whiteland, Indiana; and

WHEREAS, in order to make this enabling ordinance and its action readily available to the public and all Town officials, the Council desires to incorporate this enabling ordinance into the Whiteland Town Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whiteland, Indiana, as follows:

Section 1. Title XI: Business Regulations, of the Whiteland Town Code, is hereby amended to add a new Chapter 113 and Section 113.01, to read as follows:

§ 113.01 CONSENT TO LIQUOR RETAILER'S PERMITS.

(A) Pursuant to I.C. 7.1-3-9-3, the Whiteland Town Council consents to the issuance of liquor retailer's permits for the sale of spirituous beverages to applicants otherwise qualified under the rules and regulations of the Alcoholic Beverage Commission.

(B) Pursuant to I.C. 7.1-3-9-4, the provisions of the enabling ordinance providing the above consent may not be altered, amended, or repealed for a period of two (2) years and sixty (60) days after the date the enabling ordinance was duly enacted. During the period of the two (2) years and sixty (60) days from the enactment of the enabling ordinance consenting to the issuance of liquor retailer's permits, no other ordinance on the subject may be enacted.

Section 2. The provisions of all other ordinances, resolutions, and the Whiteland Town Code in conflict with the provisions of this ordinance are of no further force or effect.

Section 3. If any part of this ordinance is held to be invalid, such part shall be deemed severable and its validity shall have no effect upon the remaining provisions of this ordinance.

Section 4. The provisions set forth in this ordinance shall become and remain in full force and effect (until their repeal by ordinance, to the extent permitted by law) on the date of

adoption of this ordinance as evidenced by the signature of the executive as prescribed by Indiana Code 36-5-2-10, subject to publication of this ordinance to the extent required by law.

PASSED through first reading by the Town Council on the 13<sup>th</sup> day of February, 2024, by a vote of 5 in favor and 0 against.

DULY PASSED AND FINALLY ADOPTED on the 13 day of February, 2024, by a vote of 5 in favor and 0 against.



**TOWN OF WHITELAND, INDIANA, TOWN COUNCIL**

Richard Hill, President



Voting In Favor

Richard Hill

Voting Opposed

Richard Hill



Tim Brown

Tim Brown

  
Joseph Sayler

Joseph Sayler

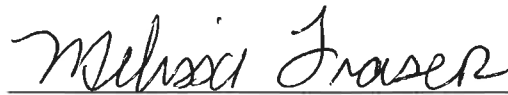
  
Brad Goedecker

Brad Goedecker

  
Debra L. Hendrickson

Debra L. Hendrickson

Attest:



Melissa A. Fraser, Clerk-Treasurer