

ORDINANCE NO. 19-11009

AN ORDINANCE APPROVING A SPECIAL EVENT AND AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR WITHIN THE SPECIAL EVENT BOUNDARIES

WHEREAS, The Local Food Works Foundation (the "Applicant") has made application for a Special Event Permit to host a community gathering, the "Feast on the Fe," from 5:00 p.m. to 9:00 p.m. on September 14, 2019 (the "Special Event") to be held on a closed portion of South Santa Fe Avenue identified on the attached and incorporated Exhibit A (the "Special Event Boundaries"); and

WHEREAS, the Applicant requests the consumption of alcoholic liquor on city streets and public sidewalks as part of the Special Event as governed by K.S.A. 41-719(a)(2); 2019 Kansas Laws Ch. 57, § 1; Salina Code Sec. 5-24; and the guidelines set forth in Resolution Number 12-6931; and

WHEREAS, Salina Code Sec. 5-16(14) provides that "*Special Event*" means a picnic, bazaar, festival or other similar community gathering which has been approved by the governing body; and

WHEREAS, the Special Event is to occur within an allowed area for special events involving the consumption of alcoholic liquor designated in Salina Code Sec. 5-24 and conforms with the guidelines set forth in Resolution Number 12-6931; and

WHEREAS, alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to 2019 Kansas Laws Ch. 57, § 1, for such special event; the Applicant has applied to the Alcoholic Beverage Control Division of the Kansas Department of Revenue for a temporary permit for the Special Event; and

WHEREAS, 2019 Kansas Laws Ch. 57, § 1 requires that the Special Event must be approved by ordinance of the local governing body of any city where a special event at which alcoholic liquor will be consumed is being held on city streets, alleys, roads, sidewalks, or highways; **SO NOW THEREFORE**,

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SALINA, KANSAS:

Section 1. Pursuant to K.S.A. 41-719(a)(2); 2019 Kansas Laws Ch. 57, § 1; and Salina Code Sec. 5-24, the Governing Body approves the Special Event to be held within the Special Event Boundaries, subject to the issuance of the temporary permit for the Special Event to the Applicant by the Alcoholic Beverage Control Division of the Kansas Department of Revenue prior to the Special Event.

Section 2. Authorization is given to barricade the Special Event Boundaries. A smaller area may be selected based on the size of the event, but the Special Event Boundaries may not be expanded.

Section 3. In accordance with K.S.A. 41-719(a):

- a. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at the Special Event;
- b. No person shall remove any alcoholic liquor from inside the Special Event Boundaries; and
- c. The Special Event Boundaries shall be clearly marked by signs, a posted map or other means which reasonably identify the Special Event Boundaries.

Section 4. Effective. This ordinance shall be in full force and effect from and after its adoption and

publication once in the official city newspaper by the following summary:

Ordinance No. 19-11009 Summary

On July 15, 2019, the City Commission passed Ordinance No. 19-11009. The Ordinance authorizes the consumption of alcoholic liquor in and the barricading of a designated area of South Santa Fe Avenue between Walnut Street and Mulberry Street and the adjoining public sidewalks as part of a special event (Feast on the Fe) to be held on September 14, 2019. A complete copy of the Ordinance can be found at www.salina-ks.gov or in the office of the City Clerk, 300 W. Ash, free of charge. This summary is certified by the City's legal counsel.

Introduced: July 8, 2019
Passed: July 15, 2019

Trent W. Davis, M.D., Mayor

[SEAL]
ATTEST:

Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this ____ day of July, 2019.

Greg A. Bengtson, City Attorney