



# City Commission Agenda Item

**Meeting Date:** April 16, 2024  
**From:** Tiffany Parsons, City Clerk & Larry Schwartz, City Attorney  
**Item:** Establish Common Consumption Area Downtown

**Purpose:** An Ordinance establishing a downtown Common Consumption Area within the corporate limits of the City of Arkansas City, Kansas, and authorizing the possession and consumption of alcoholic liquor or cereal malt beverage within its boundaries, during certain prescribed hours.  
**(Roll Call Vote)**

**Background:**

In 2022, the State of Kansas Legislature passed House Bill 2277 allowing a city or county to establish one or more common consumption areas by ordinance or resolution, designate the boundaries of any common consumption area, and prescribe the time during which alcoholic liquor may be consumed.

City staff have recently been approached by downtown business owners and citizens who would like to promote downtown activities through establishing a common consumption area. Over the last several weeks, City staff have acted to make this happen through research and ordinance building, being sure to abide by K.S.A. 41-2659, which holds the City and participants subject to certain rules and regulations to qualify.

In order to establish a common consumption area (CCA), the Governing Body is required to adopt an Ordinance pursuant to the provisions of K.S.A. 41-2659 and K.S.A. 41-719(b), and amendments thereto, which include annually applying for and obtaining a permit from State of Kansas, Director of the Division of Alcoholic Beverage Control (ABC), with payment of the required \$100.00 application fee.

**Commission Options:**

1. Approve the Ordinance
2. Disapprove the Ordinance
3. Table the Ordinance for further discussion

**Fiscal Impact:**

Amount: \$100.00 ABC Application Fee and Publication cost.

Fund: **01 – General** Department: **201 – City Commission** Expense Code: **6214 – Other Professional Services**

Included in budget       Grant       Bonds       Other Not Budgeted

**Attachments:** Ordinance, Exhibit A (CCA Map), State ABC-836 and ABC-838 Applications.

**Approved for Agenda by:**

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Randy Frazer, City Manager