

**City of Sedgwick
City Council Meeting
September 6, 2023**

TO: Mayor and City Council

SUBJECT: Resolution 09062023A

INITIATED BY: Administration

AGENDA: New Business

Recommendation: Approve and adopt Resolution No. 09062023A

Background: City Ordinance No. 676 requires a temporary exemption to be authorized by resolution for the consumption and/or possession of any alcoholic liquor or cereal malt beverage on public property within the city limits of the City of Sedgwick, Kansas.

The proposed resolution would allow for open consumption at City operated and sponsored events along the 500 Block of N. Commercial Ave. on September 16, 2023, September 29, 2023 and October 20, 2023.

Financial Considerations: None.

Recommendations/Actions: It is recommended that the City Council approve and the Resolution.

Attachment: Resolution with area map.

RESOLUTION NO. 09062023A

A RESOLUTION GRANTING TEMPORARY EXEMPTION, UPON CERTAIN CITY OWNED PROPERTY, FROM THE REQUIREMENTS OF THE SEDGWICK CITY CODE, ORDINANCE NO. 676 PROHIBITING CONSUMPTION OF ANY ALCOHOLIC LIQUOR OR CERAL MALT BEVERAGE ON PUBLIC PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF SEDGWICK, KANSAS.

WHEREAS, the City of Sedgwick, Kansas generally prohibits consumption of alcoholic liquor or cereal malt beverages on public property within the city limits; and,

WHEREAS, the Governing Body does allow for temporary exemptions from such a general prohibition by resolution lawfully approved by majority vote of the governing body; and,

WHEREAS, the Governing Body has received a request for temporary exemption by a local business Hicks Davison Post #268 on city property, specifically a public street and common area, and deems it appropriate to allow for a temporary exemption to support a local festival activity in the City of Sedgwick.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK, KANSAS:

1. The Governing Body hereby finds that a temporary exemption should be granted for the possession and consumption of enhanced cereal malt beverages on certain public property identified in paragraph 2 of this resolution.
2. The exemption shall apply only to a clearly defined, fenced, or marked and secure area of public roadway, common areas, and public property as defined in Attachment A, along Commercial Ave. from 5th Street to 6th Street, in the City of Sedgwick, Kansas and within the city limits of the City of Sedgwick, Kansas. Such defined area and the surrounding security barriers shall be approved in advance by the Sedgwick City Administrator, Sedgwick Mayor, and/or the Sedgwick Police Chief.
3. The exemption for the area shall be allowed on September 16, 2023 from eleven o'clock (11:00) a.m. until midnight (12:00) a.m.; September 29, 2023 and October 20, 2023 from five o'clock (5:00) p.m. until nine o'clock (9:00) p.m., at which time such temporary exemption shall expire by its own term.
4. Such exemptions shall apply only to the possession and consumption of enhanced cereal malt beverages on certain public property identified in paragraph 2 of this resolution.

5. All necessary permits authorizing the sale of such enhanced cereal malt beverages shall be timely applied for and granted in advance of the applicable dates noted herein as a precondition for award of this exemption.

ADOPTED AND APPROVED by the Governing Body of the City of Sedgwick, Harvey County, Kansas this 6th day of September 2023.

Bryan Chapman, Mayor

ATTEST:

Shelia Agee, City Clerk

