



City of Sedgwick  
City Council Meeting  
August 6th, 2025

**TO:** Mayor and City Council

**SUBJECT:** Ordinance 915

**INITIATED BY:** Administration

**AGENDA:** New Business

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**Background:** In 2022 Ordinance 891 passed making the City Park, Pocket Park, and DeHaven Memorial Park a common consumption area. The proposed addition of the Commercial Avenue Social District CCA would amend the current CCA to include a portion of Commercial Avenue as a CCA.

The establishment of a CCA allows individuals to purchase cereal malt beverages and/or alcoholic liquor at participating establishments within the CCA district, allowing the individual to freely walk within the confines of the district with said beverages. The beverages would be required to be in a plastic container with the business logo per state statutes.

With a CCA this would allow the city to have alcohol in the area during special events such as the Moonlight Market and Fall Festival without having to get a special event permit. With passing this the city can have more than 4 special events a year.

**Financial Considerations:** If approved, the estimated cost per year is the \$100 annual application fee. One-time costs include purchase of CCA Cups - \$200 and purchase of required signage estimated at \$400.

**Recommendations/Actions:** It is recommended that the governing body approve the policy as presented.

**Attachments:** ordinance 915, Common Consumption Area Map

## ORDINANCE NO. 915

AN ORDINANCE PERTAINING TO ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE; ADDING A NEW "ARTICLE 6. COMMON CONSUMPTION AREA" TO "CHAPTER 3. BEVERAGES" OF THE CODE; ESTABLISHING THE COMMERCIAL AVENUE SOCIAL DISTRICT COMMON CONSUMPTION AREA; AND AUTHORIZING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE WITHIN ITS BOUNDARIES.

WHEREAS, K.S.A. 41-2659 pennants a city to establish, by ordinance or resolution, one or more common consumption areas within the limits of the city, and to authorize the possession and consumption of alcoholic liquor or cereal malt beverage within the common consumption area; and

WHEREAS, Subsection (g)(l) of K.S.A. 41-2659 states that "common consumption area" means a defined indoor or outdoor area not otherwise subject to a license issued pursuant to the Kansas liquor control act or the club and drinking establishment act where the possession and consumption of alcoholic liquor or cereal malt beverage is allowed pursuant to a common consumption area permit.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SEDGWICK, KANSAS:**

**SECTION ONE:** Chapter 3, Article 8 is hereby added to the Sedgwick Municipal Code to read as follows:

**"3-801. Common Consumption Area established.**

- (a) **Establishment.** In accordance with K.S.A. 41-2659, and amendments thereto, the Governing Body hereby establishes the Commercial Avenue Social District Common Consumption Area ("CCA") located in the Designated Main Street area (encompassed by the following boundaries: on the north by 6<sup>th</sup> street; on the south by Cy's Hoof n Horn; on the east by the north-south alley between Washington and Commercial; and on the west by 5<sup>th</sup> and Madison), provided that a common consumption area permit has been issued by the Director of the Kansas Department of Revenue Division of Alcoholic Beverage Control ("Director").
- (b) **Boundary Identification.** The boundaries of the CCA must be clearly marked using a physical barrier or any apparent line of demarcation. Every CCA shall have signs conspicuously posted identifying the boundaries of such area, and such signs must be in a size and manner that provides notice to persons entering or leaving the area.
- (c) **Hours.** The possession and consumption of alcoholic liquor or cereal malt beverage in the CCA is authorized between the hours of 9:00 AM until 11:00 PM. An exception may be made for a change in day or time if prior approval is granted via a special event permit approved by the Governing Body.

**3-802. Common Consumption Area - Rules of Conduct.**

- (a) **Sales Conditions.** CCA permits are for possession and consumption of alcoholic liquor or cereal malt beverage only. No sales of alcoholic liquor or cereal malt beverage may occur on premises covered by the CCA permit unless the sales are conducted by a caterer licensed in accordance with all City requirements for a catered event, a separate special event permit has been issued for that specific area, or a drinking establishment has been authorized in writing by the City Clerk or designee to operate a noncontiguous service

area in accordance with  
**K.S.A. 41-2659(e)(2).**

- (b) **Consumption Areas.** Alcoholic liquor or cereal malt beverage drinks may be consumed on public property within the CCA including sidewalks and crosswalks but shall not be consumed in public parking lots, street parking stalls, or the public thoroughfare ("street") unless the street has been closed to vehicular traffic for a special event approved by the Governing Body.
- (c) **Purchases Outside of the CCA.** The possession and consumption of alcoholic liquor or cereal malt beverage purchased outside of the CCA and its participating licensees shall not be permitted inside the boundaries of the CCA without prior approval of a special event permit by the Governing Body.
- (d) **Removal of Purchases from Within the CCA.** No open container of alcoholic liquor or cereal malt beverage purchased within the CCA shall be removed from the boundaries of the CCA.
- (e) **Containers and Two-Drink per-person on-street limit.** All alcoholic liquor and cereal malt beverage removed from a licensed premises or otherwise sold within the CCA shall be served in a paper or plastic cup no larger than sixteen (16) fluid ounces that displays the licensee's trade name or logo or other identifying mark that is unique to the licensee. No establishment participating in the CCA shall allow any person to leave their premises and enter the CCA with more than one such alcoholic beverage at a time. Paper or plastic cups shall be single serve and not be refilled by the licensee identified on the cup, by any other licensed establishment participating in the CCA, or by any other person or party.
- (t) **Conduct.** All persons within the CCA shall follow all laws and ordinances concerning the purchase, sale, and consumption of alcohol or cereal malt beverage. Any person acting in a way that violates any provisions of the Municipal Code, State or Federal laws, including but not limited to any offenses against person, property, the public peace, the public safety, or public morals, will be removed from the CCA:
- (g) **Licensed Premises.** Any licensee of a licensed premises located within or immediately adjacent to the CCA may request permission from the Kansas Alcoholic and Beverage Control Director to participate in the CCA upon forms prescribed by the Director.
  - (1) **Removal of Alcohol from Licensed Premises.** Any licensee of a licensed premises who has requested and received permission to participate in the CCA may allow its legal patrons to remove two alcoholic liquor or cereal malt beverage purchased from the licensee per person into the premises described by the CCA permit.
  - (2) **Noncontiguous Sales.** In addition to their licensed premises, one or more licensees that have requested and received permission to participate in the CCA may offer for sale, sell, and serve alcoholic liquor or cereal malt beverage for consumption from one noncontiguous service area within the CCA, as designated and approved by the CCA permit holder. The licensee shall prominently display a copy of its drinking establishment license and the approval of the CCA permit holder at its noncontiguous service area.
  - (3) **Compliance with Applicable Laws.** Each licensee within the CCA shall comply with all City ordinances, Federal and State laws regulating the purchase, sale and consumption of alcoholic liquor or cereal malt beverage. Any violations of the common consumption area restrictions, City ordinances, or State or Federal laws may result in revocation of the licensee's participation in the CCA. Each licensee within the CCA shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or

cereal malt beverage that occur on the licensee's premises.

- (4) **Signage.** Any licensed establishment that allows patrons to leave the establishment with an alcoholic beverage in an open container as provided in this Article shall maintain posted inside all exit doors for clear public view a map of the current boundaries of the entertainment district and a sign of at least eleven (11) inches by eight and one-half (8.5) inches that states the following:

"All patrons leaving this establishment with an alcoholic beverage in an open container do hereby assume full responsibility to consume such alcoholic beverage only if it has been served in a paper or plastic cup not to exceed 16 ounces in size and obtained from an establishment licensed to sell alcoholic beverages within the common consumption area (CCA) outlined on the map below. Any individual who leaves the CCA with an alcoholic beverage in an open container is in violation of the Sedgwick, KS Code of Ordinances and may be subject to a citation, arrest, incarceration, and/or fine."

- (4) **Liability.** Each licensee within a CCA shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor or cereal malt beverage that occur on the licensee's premises. Licensee shall provide any insurance coverage or proof of coverage as may be required by the Governing Body as a condition of participating in the CCA.

### **3-803 Common Consumption Area - Notification.**

Upon passage of an ordinance or resolution establishing a CCA, the City shall immediately notify the Director of the Kansas Alcoholic Beverage Control Division of the establishment of the CCA and submit a copy of the ordinance or resolution along with such notice."

**SECTION THREE:** All ordinances or parts of ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

**SECTION FOUR:** This Ordinance shall become effective upon passage and publication of the Ordinance summary as provided by law.

Passed by the City Council on this 6<sup>th</sup> day of August, 2025.

Signed by the Mayor this 6<sup>th</sup> day of August, 2025.

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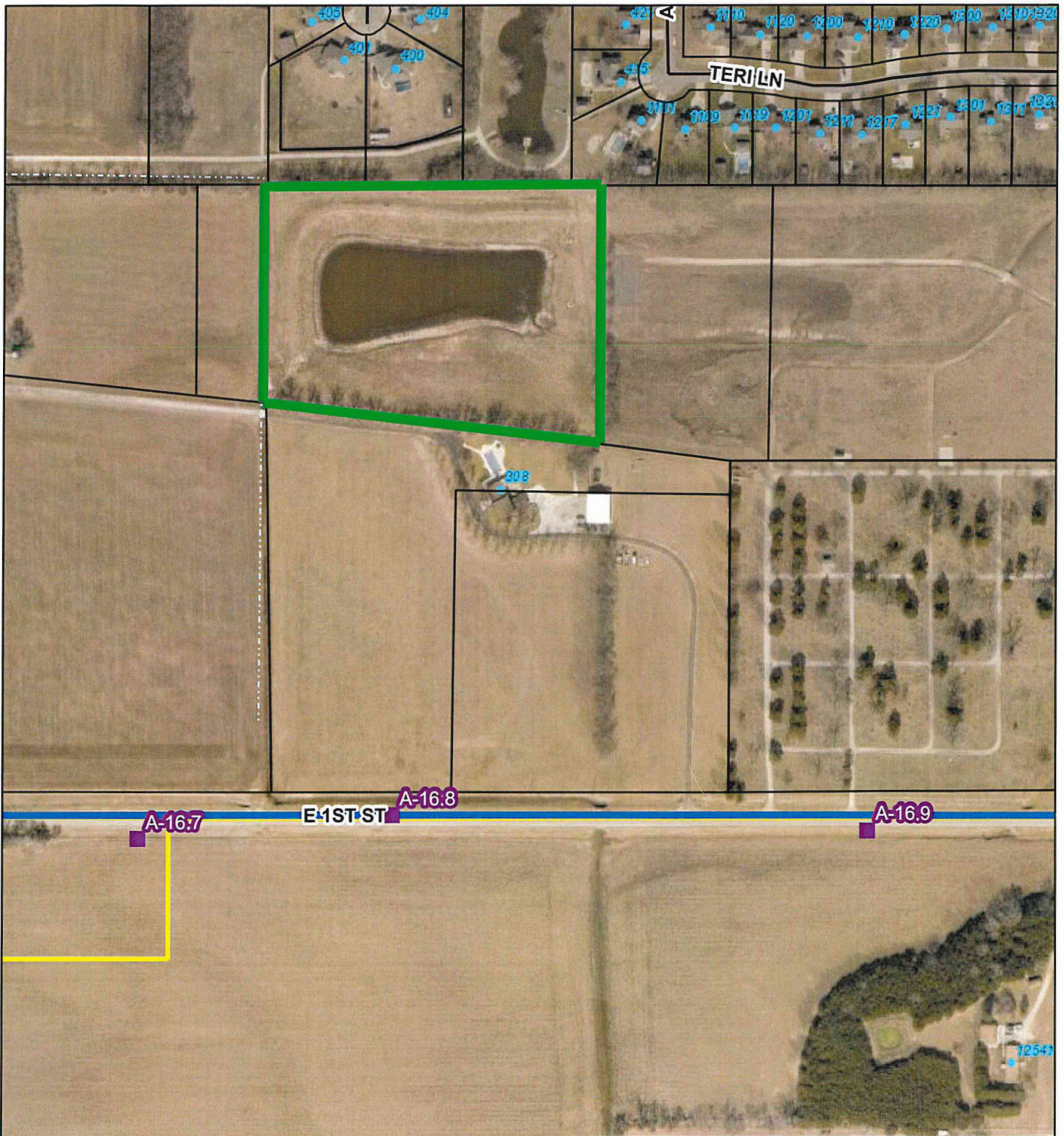
City Clerk, Shelia Agee

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Mayor, Bryan Chapman



# ArcGIS Web Map



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Override 1

Culverts

Road Centerline

Harvey County Maintained - Paved

Streets/Roads

Parcel Boundary

Parcel Boundary

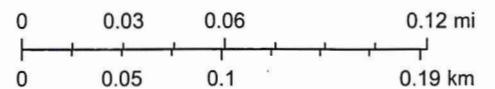
Subdivisions

Creek/River

Unnamed Tributary

Address Points

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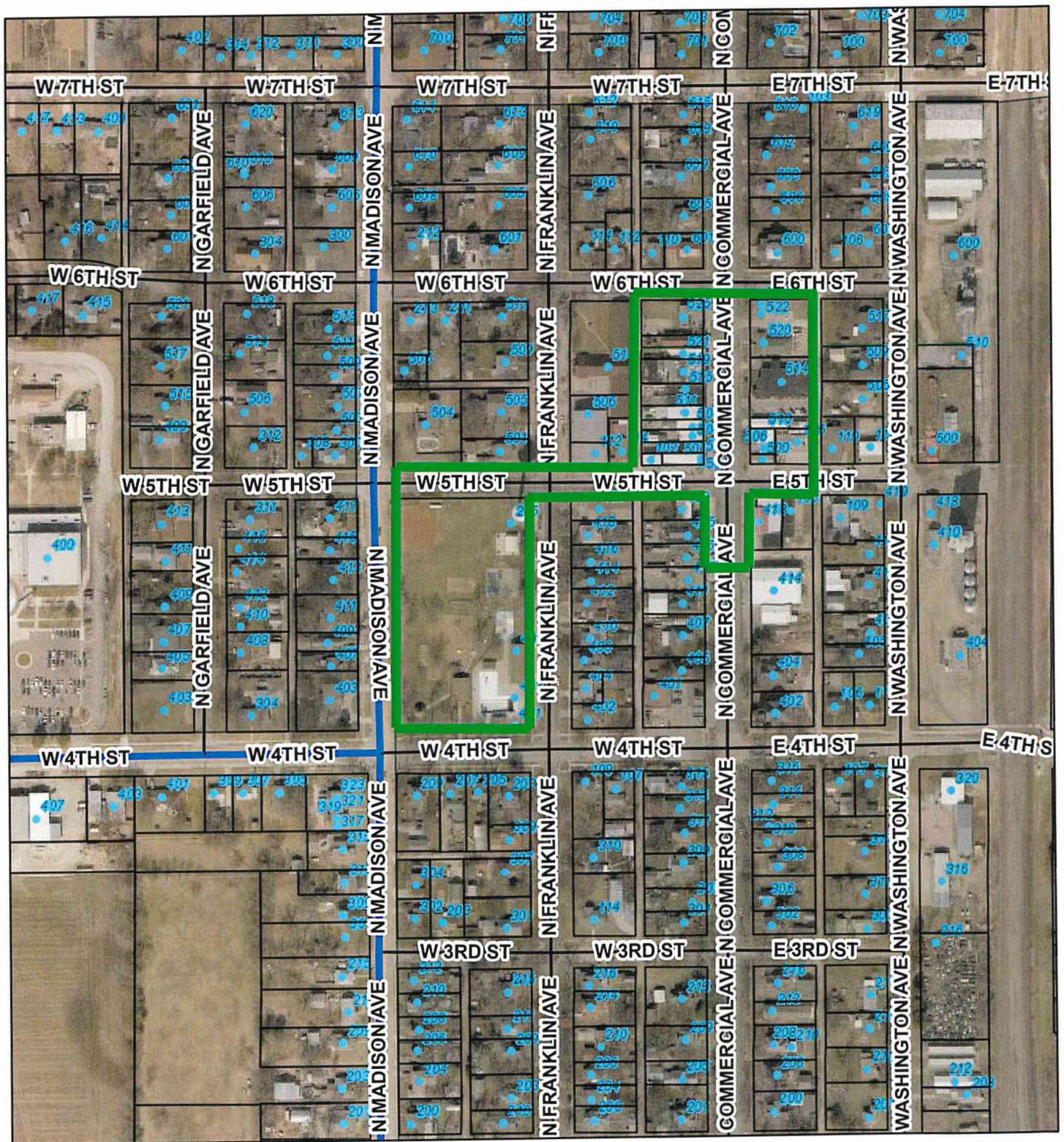
All Kansas PSAPs, NG911 Coordinating Council, DASC, Sedgwick County, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

All map data subject to Harvey County GIS data disclaimer. Any conclusions drawn from such information are the sole responsibility of the user.











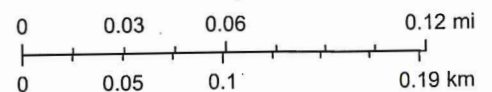
# ArcGIS Web Map



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-  Override 1  
 Road Centerline  
 Harvey County Maintained - Paved  
 Streets/Roads
-  Parcel Boundary  
 Parcel Boundary  
 Subdivisions  
 Address Points



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