

RESOLUTION NO. 08-10-23A

A RESOLUTION TEMPORARILY WAIVING CITY PROHIBITION AS TO THE SALE AND CONSUMPTION OF ALCOHOLIC LIQUOR ON CERTAIN PUBLIC PROPERTY

WHEREAS, the City of Edgerton together with the Kansas City Barbeque Society is holding a contest on October 6th and 7th, 2023 in the City of Edgerton, Kansas; and

WHEREAS, the City of Edgerton together with the Kansas City Barbeque Society requests permission to sell and serve alcoholic liquor (i.e. alcoholic beverages other than 3.2% beer [a/k/a cereal malt beverage]) at this contest; and

WHEREAS, Chapter III, Article 1, Section 3-202 of the Code of the City of Edgerton prohibits the serving alcoholic liquor within 200 feet of a church, school, nursing home, library or hospital, but said prohibition may be waived by the governing body after public notice, followed by a hearing and finding by the governing body that the proximity of the location, where the cereal malt beverage or alcoholic liquor will be served, is not adverse to the public welfare or safety.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS, THAT:

SECTION ONE: Finding: That the Governing Body, after receiving a request from the City of Edgerton and the Kansas City Barbeque Society, does hereby find and conclude that the proximity of the requested location for the sale and consumption of alcoholic liquor is not adverse to the public welfare or safety.

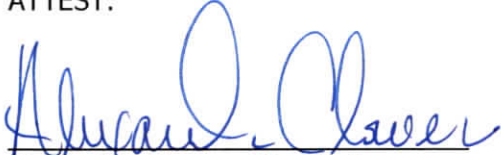
SECTION TWO: Waiver Granted: That the Governing Body, pursuant to Chapter III, Article I, Section 3-202 of the Edgerton City Code, hereby grants the waiver requested by the City of Edgerton and the Kansas City Barbeque Society, with the following stipulations:

- a) The sale and consumption of alcoholic liquor shall be allowed in an area on Nelson Street between East Third Street and East Fourth Street (specifically designated and approved by the City Administrator) between the hours of 5:00 pm and 10:00 pm on October 6, 2023.
- b) The location of the point of sale for alcoholic liquor shall be a beverage trailer parked near 307 E. Nelson Street by properly licensed individuals or groups only.
- c) No alcoholic liquor may be sold or dispensed in glass bottles or containers, only plastic, paper cups or cans may be used.

SECTION THREE - Effective Date: This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF
EDGERTON, KANSAS ON THE 10TH DAY OF AUGUST 2023.

ATTEST:



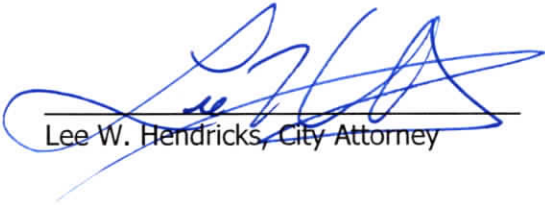
Alexandria Clower, City Clerk

CITY OF EDGERTON, KANSAS

By: 

Donald Roberts, Mayor

APPROVED AS TO FORM:



Lee W. Hendricks, City Attorney