

(Published in the Topeka Metro News October 17, 2011)

ORDINANCE NO. 19656

AN ORDINANCE introduced by Deputy Mayor John Alcala authorizing the sale, consumption and possession of alcoholic liquor at a specified location and time for NOTO's BBQ and Blues event on October 23, 2011, and to designate the public parking lot at Veteran's Park as exempt from the provisions of K.S.A. 41-719(c) and TMC 9.15.020(d).

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

Section 1. Authorization is given to barricade North Kansas Avenue between Laurent and Norris streets on October 23, 2011, between the hours of 2 p.m. and 7 p.m. for the NOTO BBQ and Blues special event. Attendance is open to the public between these hours.

Section 2. The barricaded area shall be temporarily removed from the City's right-of-way and exempt from the provisions of K.S.A. 41-719(c) which prohibits consuming alcoholic liquor on public property. Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may, in accordance with all applicable state laws and municipal ordinances, sell alcoholic liquor in the specific area designated by the Division of Alcohol Beverage Control within the barricaded area during the hours identified in Section 1.

Section 3. Event attendees may buy, possess and consume alcoholic beverages in the specific area designated by the Division of Alcohol Beverage Control within the barricaded area on October 23, 2011 between the hours of 3 p.m. and 6 p.m.

Section 4. The NOTO BBQ and Blues event is hereby approved by the governing body as a special event as required by K.S.A. 41-2645.

Section 5. Pursuant to K.S.A. 41-719(d) and TMC 9.15.020(d)(5), the City may exempt public property from the prohibitions concerning drinking or consuming alcoholic liquor on public property. In the event of inclement weather which necessitates moving the event to the public parking lot at Veteran's Park, the City exempts the public parking lot from the prohibitions of K.S.A. 41-719(c) and TMC 9.15.020(d) between 3 p.m. and 6 p.m. on October 23, 2011. Such exemption is conditioned upon the following:

A. NOTO has secured a special event permit pursuant to TMC 12.05.010; and

B. NOTO has complied with all applicable state laws and municipal ordinances concerning alcoholic liquor.

Section 6. This Ordinance shall be null and void at 7 p.m. on October 23, 2011.

Section 7. This Ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body October 11, 2011.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk