

ORDINANCE NO. 1717

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4.2 OF THE CODE OF THE CITY OF NEODESHA, DEALING WITH PUBLIC SALE OR CONSUMPTION OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGES INSIDE THE CITY OF NEODESHA; AND REPEALING OLD CHAPTER 4, ARTICLE I, SECTION 4.2 OF THE CODE OF THE CITY OF NEODESHA.

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

Section One: Chapter 4, Article I, Section 4.2 of the City of Neodesha Code shall be amended to read as follows:

ARTICLE I – IN GENERAL

Sec. 4-2. - Public sale; consumption.

- (a) It shall be unlawful for any person to sell, serve or dispense any cereal malt beverage or alcoholic liquor in any public place not licensed to sell, serve or dispense such beverage at such public place within or under the jurisdiction of the city.
- (b) It shall be unlawful for any person to use, consume or have possession of an open container of alcoholic liquor or cereal malt beverage in any public place not licensed to sell and serve such beverage for public consumption at such public place within or under the jurisdiction of the city. A package shall be considered an open container if the original seal has been broken or removed.
- (c) For purposes of this section, the term "public place" includes any street, alley, sidewalk, public thoroughfare, public parking lot or any privately owned parking area made available to the public generally, within any parked or driven motor vehicle situated in any of the aforesaid places or upon any property owned by the state or any governmental subdivision thereof, except the use of alcoholic liquor and cereal malt beverages shall be allowed in the Civic Center and Lions Shelter House Park. In addition, the use of alcoholic liquor and cereal malt beverages may be allowed on other city-owned properties on an event-by-event basis with advance approval of the governing body recorded in the minutes of the governing body. The use of alcoholic liquor and cereal malt beverages on any city-owned property shall be in conformance with state laws and city ordinances.

Section Two: Old Chapter 4, Article I, Section 4.2 of the Code of the City of Neodesha is hereby repealed.

Section Three: EFFECTIVE DATE. This ordinance shall be in full force and effect after its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 27th day of February, 2019.

ATTEST:

Terry M. Harper, Mayor

Bobby Busch, City Clerk