

ORDINANCE NO. 2077

AN ORDINANCE AMENDING CHAPTER III, BEVERAGES, OF THE CODE OF THE CITY OF BURLINGAME, KANSAS.

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

**Section 1.** Section 3-104 of Article I, General Provisions of Chapter III, Beverages, of the Code of the City of Burlingame, Kansas, is hereby amended to be read as follows:

3-104. CONSUMPTION ON PUBLIC PROPERTY. No person shall drink or consume any alcoholic liquor or cereal malt beverage on city owned public property. Provided, this prohibition shall not apply to the demolition derby pit on Banks Avenue, the park on the southwest corner of Santa Fe Avenue and Dacotah Street, and the city owned baseball and softball complex commonly known as Jones Park, but not including the playing field, dugouts or parking lots, subject to a permit issued by the City. A permit shall be required for each event using any of the above described properties whenever it is anticipated alcoholic liquor or cereal malt beverages will be consumed.

A permit application can be denied by staff, but will automatically be presented to the City Council for final consideration.

**Section 2.** Section 3-105, subparagraph (b) is hereby amended to read as follows:

3-105. PUBLIC SALE; CONSUMPTION, (b) It shall be unlawful for any person to drink or consume any cereal malt beverage or alcoholic 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. Provided, this prohibition shall not apply to the demolition derby pit on Banks Avenue, the park on the southwest corner of Santa Fe Avenue and Dacotah Street, and the city owned baseball and softball complex commonly known as Jones Park, but not including the playing field, dugouts or parking lots, subject to a permit issued by the City. A permit shall be required for each event using any of the above described properties whenever it is anticipated alcoholic liquor or cereal malt beverages will be consumed.

**Section 3.** Ordinance 1974 is hereby repealed.

PASSED AND APPROVED this 7<sup>th</sup> day of November, 2005.



William Kraus, Mayor

ATTEST:

Kelly C Ullmer

Kelly Ullmer, City Clerk